MODESTO CITY COUNCIL
RESOLUTION NO. 7[illegible]-1

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL BY SHEILA [illegible] FROM A PLANNING COMMISSION DECISION REGARDING REZONING FROM [illegible] ON THE SOUTH SIDE OF FLOYD, WEST OF COFFEE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that [illegible], **at** [illegible] **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Sheila H. [illegible] regarding rezoning from [illegible] on the south side of Floyd Avenue, west of [illegible].

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the [illegible] **day of** [illegible], 19[illegible], **by Councilmember** Mensinger, **who moved its adoption, which motion being duly seconded by Councilmember** [illegible], **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: [illegible]. Elliott, Hutchison, Lane, Mensinger, [illegible], Mayor Davies

NOES: Councilmembers: [illegible]

ABSENT: Councilmembers: [illegible]

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO AUTHORIZING A GRANT APPLICATION FOR A WOMEN'S REFUGE CENTER.

WHEREAS, the Stanislaus Women's Refuge Center desires to undertake a certain project designated Stanislaus Women's Refuge Center to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968, PL 90-351, as amended, (hereafter referred to as the Crime Control Act) administered by the Office of Criminal Justice Planning (hereinafter referred to as OCJP),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager of the City of Modesto is authorized, on its behalf, to submit an Application for Grant for Law Enforcement Purposes for said project to OCJP and is authorized to execute on behalf of the City of Modesto a Grant Award for Law Enforcement Purposes for said project, including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the Crime Control Act and the rules and regulations of OCJP and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, by Council-

member [illegible], who moved its adoption, which motion being duly seconded by Councilmember [illegible], was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: [illegible]

NOES: Councilmembers: [illegible]

ABSENT: Councilmembers: [illegible]

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By [signature]
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-3

A RESOLUTION APPROVING THE RELOCATION OF A VEHICULAR ACCESSWAY LOCATED IN PLANNED-DEVELOPMENT ZONE, P-D (125).

WHEREAS, the Council of the City of Modesto on February 24, 1975, by Resolution No. 75-314, approved a development plan for Planned-Development Zone, P-D (125), and

WHEREAS, condition No. 10 of said resolution required that prior to the issuance of a building permit for any development, the applicant provide vehicular accessways for on-site traffic circulation, and

WHEREAS, pursuant to said condition No. 10, an agreement was entered into and recorded establishing the existence and location of several vehicular accessways for on-site traffic circulation which agreement provides, in part, that the location of said vehicular accessways may not be altered without the prior written consent of the City of Modesto, and

WHEREAS, a request has been received from ELMO WILSON, SR., on behalf of the owners of the property located within Planned-Development Zone, P-D (125) to relocate one of the vehicular accessways substantially as shown on the plot plan attached hereto marked as Exhibit "A", and made a part hereof by reference, and

WHEREAS, the Council of the City of Modesto desires to grant its written approval for said relocation in order to better serve the development of the properties located within Planned-Development Zone, P-D (125) and to permit better traffic circulation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that the relocation of that certain vehicular accessway within Planned-Development Zone, P-D (125) substantially as shown on Exhibit "A" hereof, be and

hereby is approved, subject to the following conditions:

1. That the owners of the property located within Planned-Development Zone, P-D (125) execute an agreement establishing the revised location of the vehicular accessway in a form approved by the City Attorney, and
2. That said agreement be recorded with a copy of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the [illegible] day of January, 1979, by Councilmember [illegible], who moved its adoption, which motion being duly seconded by Councilmember [illegible], was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: [illegible]

NOES: Councilmembers: [illegible]

ABSENT: Councilmembers: [illegible]

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By [signature]
ELWYN L. JOHNSON, City Attorney

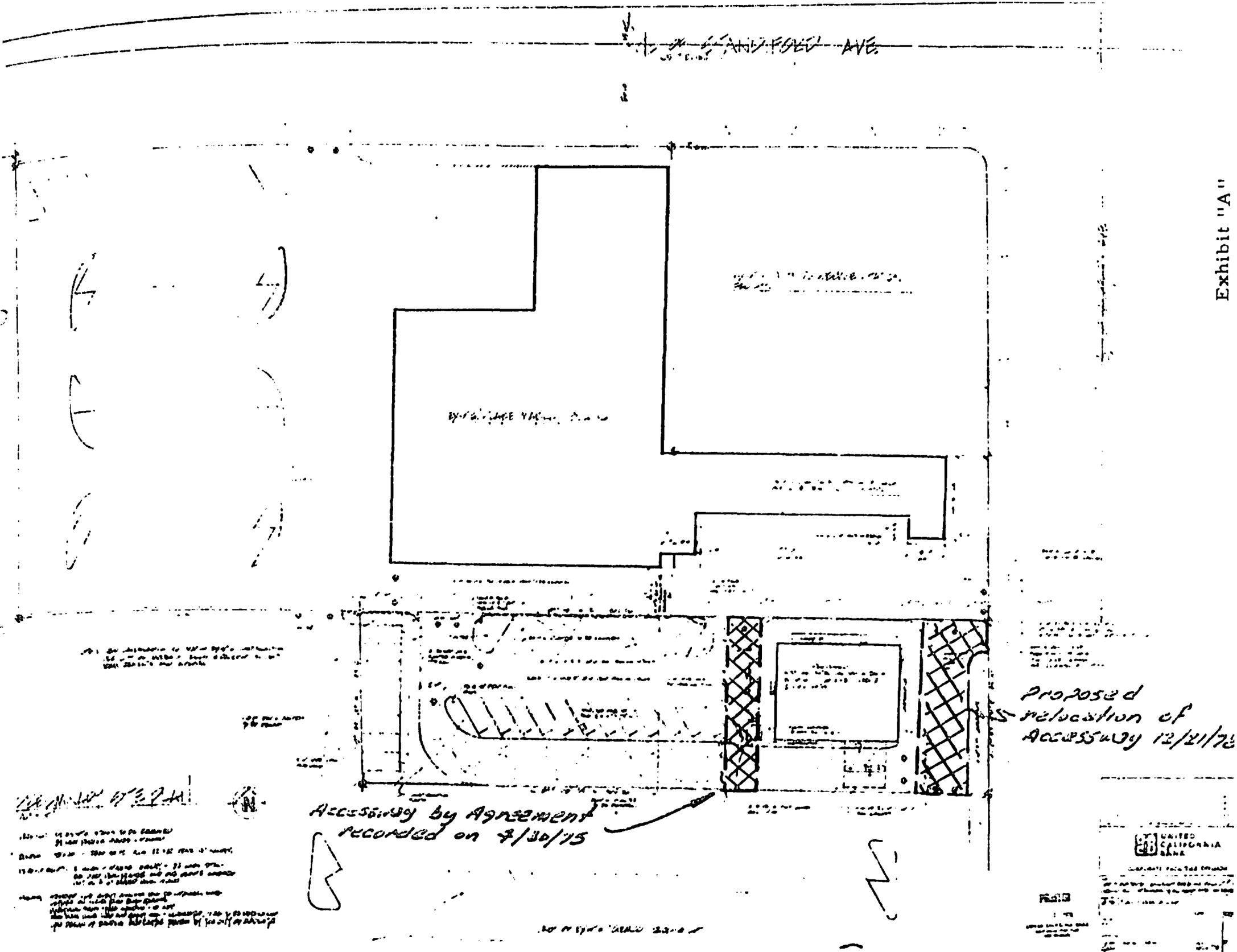


Exhibit "A"
Accessway by Agreement recorded on 7/30/75
Proposed relocation of Accessway 12/21/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-4

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO CITY HOSPITAL FOR PART OF LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto City

for [illegible] Lincoln School site

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of [illegible], 19[illegible], by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember [illegible], was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: [illegible], Elliott, Mullidjian, Long, Mensinger, [illegible], Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-5

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP (LAND BANK FINANCIAL SERVICES)

WHEREAS, the Modesto City Planning Commission held a public hearing on [illegible] 19, 197[illegible], in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map, to [illegible] R-1 to [illegible] for a 61-unit single-story elderly housing [illegible] of the [illegible]t, west of Franklin Street the following described property:

[illegible]

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for [illegible] p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19[illegible], by Councilmember Kensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Kensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

A portion of the South half of Lot 9 of SPENCER COLONY, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California on December 16, 1904, in Volume 2 of Maps, at Page 3, described as follows:

BEGINNING at the Northeast corner of the said South half of Lot 9, at a point in the centerline of Franklin Street and running thence South 89° 58' 30" West, 665.68 feet, more or less, to the Northwest corner of the said South half of Lot 9; thence South 0° 10' West, along the West line of said Lot and the centerline of the Modesto Irrigation District canal, 97.05 feet to a point; thence North 89° 58' 30" East, 125 feet to a point; thence South 0° 10; West, 100 feet to a point; thence North 89° 59' East 18.68 feet more or less, to the Northwest corner of Parcel No. 2, as described in the Deed to John P. Winchester, et al, recorded April 18, 1969, in Volume 2270 of Official Records at Page 565, as Instrument No. 13135; thence continue North 89° 59' East, along the North line of said Parcel No. 2, a distance of 171.00 feet to the Southwest corner of the lands heretofore conveyed to Mary A. Webb, et al, by Deed dated January 4, 1943, and recorded January 7, 1943, in Volume 764 of Official Records, at Page 72; thence North 0° 10' East, along the West line of said premises conveyed to Webb, 140 feet to a point, which is 57.05 feet South of the North line of the South half of said Lot 9; thence North 89° 59' East, 351 feet to the centerline of Franklin Street; thence North along said centerline, 57.05 feet to the point of beginning.

LAND BANK FIN. SER.
SCHEDULE "A"
1/2/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-6

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 [illegible] (WRIGHT FARMS)

WHEREAS, the Modesto City Planning Commission held a public hearing on [illegible], in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 and 15-3-9 of the [illegible] portion of R-A(15) to Planned [illegible] property located on the west side of Oakdale [illegible] Avenue the following described property:

[illegible]

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 10-3-9 and 15-3-9 of the Zoning Map be set for [illegible], at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19[illegible], by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Portion of P-D(153) to New P-D

All that certain real property situate in the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus State of California, described as follows:

Commencing at the Southwest corner of the North half of said Northeast Quarter of Section 15, said corner being the intersection of the centerlines of Rose Avenue and Floyd Avenue; thence North 0°57'25" West along the West line of said Northeast Quarter of Section 15 and the centerline of Rose Avenue a distance of 130.01 feet; thence North 89°38'35" East parallel with and 130.00 feet from said centerline of Floyd Avenue, a distance of 1233.27 feet to the point of beginning of this description; thence continuing North 89°38'35" East 404.73 feet; thence South 0°57'25" East 130.01 feet; thence South 89°38'35" West along the South line of said North half of the Northeast quarter of Section 15 and said centerline of Floyd Avenue, a distance of 406.09 feet; thence North 0°21'25" West 130.00 feet to the point of beginning.

Containing 1.21 Acres

R-1 to P-D

All that certain real property situate in a portion of the Southeast quarter of Section 10, and the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the East quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South 1° 06' East, 2,647.23 feet along the East line of said Section 10, and said centerline of Oakdale Road to the Section corner common to Sections 10, 11, 14, and 15; thence South 0° 55' 30" East, 1,322.15 feet, along the

SCHEDULE "A"
1/2/79
NARAGHI FARMS

East line of said Section 15, and said centerline of Oakdale Road to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section 15, and the centerline of Floyd Avenue; thence South 89° 38' 35" West, 987.12 feet along the North line of said Southeast quarter of the Northeast quarter of said Section 15, and the centerline of said Floyd Avenue to the Southeast corner of P-D(153), as described in Ordinance 1584-C.S. of the City of Modesto; thence along the boundary of said P-D(153) the following (2) courses: 1) North 0° 57' 25" West,130.01 feet; 2) South 89° 38' 35" West, 379.73 feet to the Southeast corner of Lot 9, Block 12751 of PERSIAN TERRACE NO. 2, as filed June 28, 1977, in Volume 26 of Maps, at Page 91, Stanislaus County Records; thence along the boundary of said PERSIAN TERRACE NO. 2, the following (5) courses: 1) North 0° 23' 10" West, 151.12 feet; 2) South 89° 36' 50" West, 275.39 feet; 3) North 0° 57' 25" West, 872.32 feet; 4) South 89° 36' 50" West, 32.84 feet; 5) North 0° 23' 10" West, 130.00 feet to the centerline of Rumble Road; thence in a Westerly direction along the centerline of Rumble Road the following (4) courses: 1) South 89° 36' 50" West, 546.30 feet to the beginning of a curve concave to the North having a radius of 1,180.00 feet; 2) thence 224.30 feet along said curve, through a central angle of 10° 53' 27" to a point of reverse curve, concave to the South having a radius of 930.00 feet; 3) thence 176.78 feet along said curve, through a central angle of 10° 53' 27" to a point on the North line of said Section 15; 4) thence South 89° 36' 50" West 8.26 feet along said North line of Section 15 to the Southeast corner of COFFEE TERRACE NO. 2, as filed June 24, 1970, in Volume 22 of Maps, at Page 53, Stanislaus County Records; thence North 0° 53' 20" West, 1,319.85 feet along the East line of said COFFEE TERRACE NO. 2, and the East line of COFFEE VILLA, as filed March 6, 1972, in Volume 24 of Maps, at Page 27, Stanislaus County Records, and the East line of COFFEE VILLAGE NO. 2, as filed July 26, 1960, in Volume 19 of Maps, at Page 44, Stanislaus County Records, to the Southwest corner of SYLVAN VILLAGE NO. 2 as recorded October 13, 1965, in Volume 21 of Maps, at Page 26, Stanislaus County Records; thence North 89° 31' East, 1,309.58 feet along the South line of said SYLVAN VILLAGE NO. 2 to the Southeast corner thereof; thence North 0° 58' 50" West, 1,320.95 feet along the East line of said SYLVAN VILLAGE NO. 2 and the East line of SYLVAN VILLAGE NO. 1, as recorded July 12, 1961, in Volume 19 of Maps, at Page 76, Stanislaus County Records and the Northerly prolongation of said East line of SYLVAN VILLAGE NO. 1 to the East-West quarter Section line of said Section 10, and said centerline of SYLVAN AVENUE: thence North 89° 26' East, 1,308.50 feet along said East-West quarter line, and said centerline of Sylvan Avenue, to the POINT OF BEGINNING.

Containing 167.04 Acres more or less

MODESTO CITY COUNCIL
RESOLUTION NO. 79-7

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-10 OF THE ZONING MAP (MID CAL LAND DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on [illegible], in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 19-3-10 of the Zoning Map, [illegible] property located at the northeast corner of [illegible] Avenue

the following described property:

SEE EXHIBIT "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. - recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-10 of the Zoning Map be set for [illegible], 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19[illegible], by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kulijian, Long, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain property situate in Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, located in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the northwest corner of said section 19; thence South 0°39'16" West along the west line of Section 19, a distance of 661.18 feet to the true point of beginning of this description; thence continuing South 0°39'16" East along the West line of Section 19, a distance of 651.18 feet; thence South 89°42'04" East 151.46 feet to the beginning of a tangent curve concave to the North having a radius of 300.00 feet; thence Easterly 186.71 feet along said curve through a central angle of 35°39'33" to the beginning of a reverse curve concave to the South having a radius of 300.00 feet; a radial line through said beginning of reverse curve bears North 35°21'37" West; thence Easterly 186.71 feet along said curve through a central angle of 35°39'33" to a radial line of said curve which bears North 0°17'56" East; thence on the prolongation of said radial 536.40 feet; thence North 89°27'23" West 512.08 feet to the true point of beginning of this description.

Containing 7.103 acres.

SCHEDULE "A"
1/2/79
MID CAL LAND DEVELO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-8

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20-3-9 OF THE ZONING MAP (ROY CAMPBELL)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 19, 1978, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 20-3-9 of the Zoning Map, to rezone from R-1 to P-D(213) to allow a two-story condominium project located on the north side of Griswold Avenue, west of McHenry Avenue

the following described property:

Lot 3 of Mission Grove Tract, in the City of Modesto, County of Stanislaus, State of California, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 13, 1917, in Volume 8 of Maps, at page 50.

Including also the northerly 25 feet of Griswold Avenue immediately adjacent to said Lot 3.

Containing 1.06 acres.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 78-950 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 20-3-9 of the Zoning Map be set for February 13, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 79, by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-9

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP (HIAM INVESTMENTS)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 19, 1978 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 13-3-8 of the Zoning Map, to rezone from R-1 to P-D(212) property located on the northeast side of Dale Road, northwest of Brenner Way, and denying a portion of the application requesting rezoning from R-1 to P-D property located at the north[illegible] of Brenner Way and Lou Ann Drive,

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. [illegible] recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 13-3-8 of the Zoning Map be set for February 13, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19 79, by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of the northwest one-quarter of Section 13, Township 3 South, Range 8 East, M.D.B. & M., described as follows:

The Northwest corner of Sisk Road and Brenner Way, commencing at the corner of Sisk Road and Brenner Way, thence North 43° 11' 14" West, 399.34 feet, to a point on the Northwest corner of said parcel; thence North 46° 31' East, 475.00 feet to the most Northerly corner thereof; thence North 43° 11' 14" West, 401.95 feet to a point in the northwestern line of Brenner Way (60.00') thence South 46° 31' West, 474.56 feet to the point of beginning. Including the northwesterly 30 feet of Brenner Way immediately adjacent to the southeasterly line of said described property.

Including also all that portion of Sisk Road situated between the Southwesterly line of the above described property and the centerline of said Sisk Road.

R-1 TO P-D (Residential)

Beginning at the most northerly corner of the before described proposed H-1 parcel, thence North 46° 31' East, 345.28 feet to the most northerly corner thereof; thence South 43° 29' East, 363.00 feet to the most easterly corner thereof; thence along the northwestern line of Brenner Way following two courses and distances (1) south 46° 52' 30" West, 298.73 feet; (2) South 25° 13' West, 107.00 feet to the Southerly corner of this parcel; thence North 43° 11' 14" West, 401.95 feet to the point of beginning. Including the northwesterly 30 feet of Brenner Way immediately adjacent to said described property.

Including also all that portion of Lou Ann Drive situated between the Northeasterly line of the above described property and the centerline of said Lou Ann Drive.

SCHEDULE "A"
1/2/79
HIAN INVESTMENTS

MODESTO CITY COUNCIL
RESOLUTION NO. 79-10

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 30-3-9 OF THE ZONING MAP (CAROLYN CRAWFORD)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 19, 197[illegible] **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 30-3-9 of the Zoning Map, to rezone from R-1 to R-2 property located at the northwest corner of [illegible] and Bangs Avenue, and recommending to the City Council that the subject property be rezoned from R-1 to R-2 **the following described property:**

SEE EXHIBIT "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. [illegible] recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 30-3-9 of the Zoning Map be set for February 12, 197[illegible], at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 19[illegible], by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that portion of Lot 19 of Maze Ranch Subdivision, according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on March 19, 1909, in Volume 4 of Maps, Page 18, described as follows:

COMMENCING at the South quarter corner of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 89° 45' 30" West along the Southerly line of said Section 30, a distance of 20.00 feet to the Southeast corner of Lot 19 of said Maze Ranch Subdivision and being the true point of beginning of this description; thence continue North 89° 45' 30" West and being along the center line of Maze Boulevard a distance of 202.62 feet, thence North 0° 14' 30" East, a distance of 200.00 feet; thence South 89° 45' 30" East parallel with the Southerly line hereof, a distance of 200.02 feet to a point on the East line of said Lot 19 and being in the centerline of Emerald Avenue; thence South 0° 30' 15" East along last mentioned line, a distance of 200.00 feet to the true point of beginning.

EXCEPTING that portion of property lying within the Maze Boulevard right-of-way which is zoned R-A.

SCHEDULE "A"
1/2/79
CAROLYN CRAWFORD

MODESTO CITY COUNCIL
RESOLUTION NO. 79-11

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CHEATHAM DRIVE ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Cheatham Drive Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated September 27, 1978 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Cheatham Drive Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

July 24, 1978

CHEATHAM DRIVE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the ROUSE ADDITION (215), as per description filed June 4, 1968, as Instrument 17171, Stanislaus County Records;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (215), South 00° 03' 00" East, 330.00 feet, to a Northeastern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (149), South 89° 45' 00" West, 395.58 feet;

3. thence leaving the existing City Limits, North 00° 03' 00" West, 330.00 feet;

4. thence North 89° [illegible] East, 395.58 feet, to the point of beginning, containing 3.073 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 76-12

A RESOLUTION AMENDING SECTION 5 AND SECTION 7 OF RESOLUTION NO. 72-800 ENTITLED "A RESOLUTION ESTABLISHING A DEFERRED COMPENSATION PLAN FOR THE EMPLOYEES OF THE CITY OF MODESTO", AND RESCINDING RESOLUTION NO. 76-13.

BE IT RESOLVED by the Council of the City of Modesto that Section 5 and Section 7 of Resolution No. 72-800 entitled "A Resolution Establishing A Deferred Compensation Plan For The Employees Of The City Of Modesto" be amended to read as follows:

SECTION 5. Bill Cameron, Richard A. Hosegood and Gerald L. McKinsey are hereby appointed as the Deferred Compensation Plan Committee (hereinafter called the "Committee"), to administer the Plan established hereby. Richard A. Hosegood shall be Chairman of said Committee and any two of its members are hereby authorized to act on behalf of said Committee. Said Committee shall have such powers and duties as may be given to it by this resolution or as may be necessary in order to carry out the provisions of agreements with depositaries entered into from time to time by the city, and such further powers and duties as may be delegated to it from time to time by this Council.

SECTION 7. The City Clerk is hereby authorized and directed to certify to depositaries, and such other persons, firms or organizations with whom the city may have entered into contracts regarding the plan established hereby, the names of Bill Cameron, Richard A. Hosegood and Gerald L. McKinsey as the members of the Deferred Compensation Plan Committee.

BE IT FURTHER RESOLVED that Resolution No. 76-13 adopted by the City Council on January 5, 1976, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Simkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kallijian, Lang, Mensinger, Simkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-13

A RESOLUTION URGING THE STANISLAUS COUNTY LOCAL AGENCY FORMATION COMMISSION TO ESTABLISH MORGAN ROAD, HERNDON AVENUE, NADINE AVENUE, AND MITCHELL ROAD AS THE BOUNDARY BETWEEN THE CITIES OF MODESTO AND CERES FOR SPHERE OF INFLUENCE PURPOSES.

WHEREAS, the Stanislaus County Local Agency Formation Commission (LAFCO) is charged with the responsibility of establishing urban spheres of influence for all cities in Stanislaus County, and

WHEREAS, LAFCO currently has under consideration the spheres of influence of the cities of Modesto and Ceres in the area between Hatch Road and the Tuolumne River from the Southern Pacific Railroad to Mitchell Road, and

WHEREAS, the Modesto City Council has studied this area and considered which city can best provide urban services to the present and future residents thereof,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby request and urge LAFCO to establish Morgan Road, Herndon Avenue Nadine Avenue, and Mitchell Road as the boundary between the spheres of influence of the cities of Modesto and Ceres and to add the area from Nadine Avenue (extended) to the Tuolumne River from Herndon Road to Mitchell Road as an addition to the City of Modesto's urban sphere of influence for the following reasons:

1. Herndon Road is a poor Modesto/Ceres common boundary for the residents of the area because the area on either side of Herndon Road, a two-lane collector street, is one neighborhood served by the Tuolumne Elementary School and present and proposed park facilities. While differing city services may be tolerable in general, a lack of advocacy by either city for a neighborhood park presents a problem. With Herndon Road the boundary, both cities are reluctant to develop neighborhood park facilities at Mancini Park and the Tuolumne River Regional Park Committee does not feel such facilities are appropriately the responsibility of the Regional Park. Ceres, faced with property tax revenue cuts that have dropped from 25% to 12% of its budget, is cutting back its park and recreation programs.

2. Herndon Road is a poor Modesto/Ceres boundary for Modesto. If this boundary remains, Modesto can expect development of only up to 40 acres of land between South 9th Street and Herndon Road, and a spotty service area for not only police and fire response, but for such intensive urban services as garden refuse pickup, leaf pickup, and street sweeping. By contract, Ceres has residential areas within 1/4 mile for an easy service extension to this area. Finally, more technically troublesome than substantive, a Modesto sanitary sewer trunk in Herndon Road with lateral lines from it to the east (Ceres) and west (Modesto) makes monitoring difficult in terms of billing Ceres.

3. Nadine Avenue (extended) to the Tuolumne River from Herndon Road to Mitchell Road as an addition to the Modesto sphere of influence makes sense for the residents of the area because the neighborhood park and park program issues are settled. If a second neighborhood park is needed between Richland and Moffett, Modesto is probably in a better position to consider it.

4. The main concern to residents in the area will be urban densities. The Modesto City Council has made it clear that R-1 areas, via P-D zoning can be increased to 10 dwelling units per net acre, that conventional R-1 areas are typically 5-7 units per net acre, rather than 2-3 units per net acre urged by some residents in the area.

5. Nadine Avenue (extended) to the Tuolumne River from Herndon Road to Mitchell Road as an addition to the Modesto sphere of influence makes sense to Ceres because additional service costs are avoided--such as contracting with Modesto for sanitary sewer service north of the Delmas Ditch. In addition, neighborhood park costs will be avoided.

6. Nadine Avenue (extended) to the Tuolumne River from Herndon Road to Mitchell Road as an addition to the Modesto sphere of influence makes sense to Modesto because 1.1 square miles will be added to Modesto's urban growth area. Urbanization of this portion of the fringe between the two cities and so close to employment should be less controversial than sewer extensions to other areas on Modesto's fringe.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of January, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded

by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin

NOES: Councilmembers: Lang, Mayor Davies

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-14

A RESOLUTION SUPPORTING VOCATIONAL EDUCATION WITH EMPHASIS IN AGRICULTURE

WHEREAS, the Farm-City Advisory Committee believes that a strong program of vocational education is essential to the welfare of Stanislaus County; and

WHEREAS, vocational education is essential for all students in order to [illegible] the wide vocational career choices; and

WHEREAS, vocational programs represent the foundation on which the [illegible] the vocational emphasis on job preparation and respond [illegible] growth in employment, increased welfare, and a [illegible]; and

WHEREAS, the [illegible] Department of Education has recently severely [illegible] public vocational education unit; and

WHEREAS, [illegible] resulted in the loss of positions which [illegible] agriculture program, specifically [illegible] program.

[illegible] that the Modesto City Council feels [illegible] an organizational [illegible] strong Vocational Agriculture [illegible] adequately meet the needs of local schools.

[illegible] that a copy of this [illegible] the State Board of Education and [illegible].

[illegible] was introduced at a regular meeting

of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-15

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY DENNIS E. WILSON, MID-VALLEY ENGINEERING, INC. TO A DECISION OF THE ENVIRONMENTAL ASSESSMENT COMMITTEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 16, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Dennis E. Wilson, Mid-Valley Engineering, Inc. to a decision of the Environmental Assessment Committee regarding the requirement of an environmental impact report concerning Modesto Development property at [illegible].

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** [illegible]**, 19**79**, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** [illegible]**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sierkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-16

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REMOVAL OF OBSTRUCTIONS IN AIRPORT CLEAR ZONE ON RIVER ROAD - PARCELS D-1, D-2 AND D-3.

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for removal of obstructions in Airport Clear Zone on River Road - Parcels D-1, D-2, and D-3, **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 30, 1979 at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** January, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sieglin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-17

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF SUBTRUNK SEWER EXTENSION IN EAST ORANGEBURG AVENUE BETWEEN GLENBROOK AND PROSPECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of [illegible] extension in E. Orangeburg Ave. between Glenbrook and Prospect **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 30, 19[illegible] at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** January, **19**[illegible], **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** [illegible], **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Skorkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-18

A RESOLUTION ACCEPTING THE BID OF RACO, INC. FOR THE CONSTRUCTION OF THE SONOMA TRUNK SEWER EXTENSION

WHEREAS, Resolution No. 78-1242 **, adopted by the Council of the City of Modesto on** December 11, 1978 **, approved the plans and specifications for the** construction of the Sonoma trunk sewer extension

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of the Sonoma trunk sewer extension

were opened at 2:30 p.m. on January 9, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** RACO, Inc. **in the amount of** $38,092.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of RACO, Inc. **in the amount of** $38,092.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** January **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-19

A RESOLUTION ACCEPTING THE BID OF CONTRACT CARPET COMPANY FOR THE INSTALLATION OF DRAPERIES AT THE MODESTO CITY HALL

WHEREAS, Resolution No. 78-1165, **adopted by the Council of the City of Modesto on** November 13, 1978 , **approved the plans and specifications for the** installation of draperies at the Modesto City Hall

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of draperies at the Modesto City Hall

were opened at 11:00 a.m. on December 12, 1978, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Contract Carpet Company **in the amount of** $26,007.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Contract Carpet Company **in the amount of** $26,007.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** January,

19__, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-20

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SCENIC DRIVE - ROSE AVENUE INTERSECTION AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** the Scenic Drive - Rose Avenue intersection **has been completed by** George Reed, Inc.

in accordance with the contract agreement dated April 24, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Scenic Drive - Rose Avenue intersection **be accepted from said contractor,** George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $127,444.24 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sheltzer, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-21

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH HEWLETT-PACKARD FOR THE PURCHASE OF PERIPHERAL COMPUTER EQUIPMENT

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of peripheral computer equipment is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Hewlett-Packard for the purchase of peripheral computer equipment for the total price of $[illegible], including State and local taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Mullidjian, was put and carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dooley, Elliott, Mullidjian, Lang, Mensinger, St. John, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norma Coyle
NORMA COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-22

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(208). (CALVARY TEMPLE ASSEMBLY OF GOD, INC.)

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Calvary Temple Assembly of God, Inc. on July 25, 1978, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that portion of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Part 1
All of that portion of property shown as Remainder on the face of the map filed in Book 21 of Parcel Maps, at page 81, in the Stanislaus County Records, including the southerly 20 feet of Norwegian Avenue immediately adjacent to the north line of said property.

EXCEPTING THEREFROM the following described portion:

Beginning at the northwest corner of the 35.386 acre parcel shown on the map filed in Book 21 of Parcel Maps, at page 81, in the Stanislaus County Records, also being the true point of beginning; thence Southerly along the West line of said parcel a distance of 440.0 feet; thence Easterly along a line that is parallel with the North line of said parcel a distance of 696.0 feet; thence Northerly along a line that is parallel with the said West line a distance of 440.0 feet to the point of intersection with the said North line; thence Westerly along the said North line a distance of 696.0 feet to the point of beginning.

Part 2
Beginning at the point of intersection of the east line of property shown as Remainder on the map filed in Book 21 of Parcel Maps at page 81 in the Stanislaus County Records, with the South line of Block 1268 in Central Heights Estates as per map filed in Volume 21 of Maps at page 32 in the Stanislaus County Records; thence Southerly along said East line of said parcel map 475.57 feet more or less to the point of intersection with the north line of Briggsmore Avenue; thence Easterly along said North line 644.32 feet to the west line of Coffee Road; thence Northerly along said West line 448.83 feet to the point of intersection with said south line of Block 1268 in said Central Heights Estates; thence westerly along the South line of said Block 1268, 668.76 feet to the point of beginning.

Including also all that portion of street right-of-way between the east line of Section 16 and the east line of the above described property,

and

WHEREAS, after public hearing held on November 21, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The church already has some existing facilities on the site.

2. The property is located at the intersection of a major street and an expressway and also has access to a collector street giving good access to the expanded facilities from the community.

3. Conditions of approval will insure compatibility of the project with the adjacent properties.

WHEREAS, after a public hearing held on January 9, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Calvary Temple Assembly of God, Inc. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. [illegible]-C.S. on the 9th day of January, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(208).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(208), is hereby approved in accordance with the plan titled, "Calvary Temple, Modesto, California", as amended in red on its face, stamped

approved by the Planning Commission on November 21, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit for any given phase of development, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the developer shall dedicate to the City of Modesto a street tree planting easement along the Norwegian Avenue frontage in accordance with the requirements of the Director of Parks and Recreation.

5. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontages with the number of trees to be determined by the Director of Public Works.

6. That all curbcuts serving two-way driveways shall be developed at a 35-foot width.

7. That the applicant shall install 10 fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief in accordance with the phasing of the development. Said hydrants shall be installed and operable prior to construction of any structures. The fire mains shall be a minimum of 8 inches in diameter.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That prior to the issuance of a building permit for any new construction, the applicant shall make application to the City of Modesto to amend the boundary and plot plan of P-D(171) to correspond with the subject project.

10. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters a maximum of 16 feet on centers along the westerly and that portion of the northerly and easterly property lines immediately abutting single family residences where such fencing does not currently exist.

11. That all signs shall comply with the sign requirements of the R-3 Zone.

12. That all parking and driveway areas shall be improved in accordance with City Standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

13. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

14. That prior to the issuance of a building permit for any given phase of development, the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

15. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

16. That the applicant shall install curb, gutter, drainage facilities and matching pavement along the Briggsmore Avenue frontage of the project prior to completion of the slip ramp vehicular exit from the property to Briggsmore Avenue.

17. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans and dedications shall be made in conjunction with completion of the various phases of the project as set forth in the approved development schedule.

18. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Norwegian Avenue to a collector street standard and additional right-of-way to complete the alley on the west boundary of the property to City residential alley standards in accordance with the requirements of the Director of Public Works.

19. That prior to the issuance of a building permit, if the required public street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements in conjunction with completion of the various phases of the project as set forth in the approved development schedule.

20. That the developer shall improve Norwegian Avenue to collector street standards and the westerly alley to residential alley standards in accordance with the requirements of the Director of Public Works prior to occupancy of any new structures in the affected phase of development or upon demand by the City of Modesto, whichever occurs first.

21. That prior to occupancy of any new structures, street lights shall be installed along the Coffee Road frontage at a spacing of 330 feet maximum center to center.

22. That previous Board of Zoning Adjustment approvals shall remain in effect until Phase 1 of this P-D is exercised at which time said approvals shall be superseded.

SECTION 2. DEVELOPMENT SCHEDULE. The following four-phase development schedule is hereby approved for said Planned-Development Zone, P-D(208):

PHASE I shall include construction of a portion of the classrooms, the track and field and the baseball diamond with construction to begin on or before January 1, 1980, and be completed no later than January 1, 1981, including the removal of the driveway curbcut serving a single-family residence on Briggsmore Avenue and removal of a driveway curbcut on Coffee Road at the southeast corner of the site.

PHASE II shall include construction of the 2,000-seat sanctuary, the chapel and offices, and a minimum of 400 off-street parking spaces, with construction to begin on or before January 1, 1981, and be completed no later than January 1, 1982.

PHASE III shall include the remaining classrooms with construction to begin on or before January 1, 1983, and be completed no later than January 1, 1984.

PHASE IV shall include construction of the gymnasium/social hall, the park/pcinic area, and the open space areas with construction to begin on or before January 1, 1985, and be completed no later than January 1, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and

in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D(208) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 19[illegible], by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Mullidjian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Mullidjian, Lang, Monsinger, Smith, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. Lynn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Reid
Department of Planning and
Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-23

A RESOLUTION CERTIFYING REVIEW OF FINAL ENVIRONMENTAL IMPACT REPORT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CALVARY TEMPLE ASSEMBLY OF GOD, INC.)

WHEREAS, on _____, the City Council introduced Ordinance No. _____-C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(208), and

WHEREAS, the City Council certifies that it reviewed and considered the Final Environmental Impact Report in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(208).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the _____ day of _____, 1979, by Councilmember _____, who moved its adoption, which motion

being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sinfkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-24

A RESOLUTION APPROVING AN AMENDED DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (73). (MEMORIAL HOSPITAL)

WHEREAS, a verified application was filed by Memorial Hospital Association of Stanislaus County on October 16, 1978 for amendment to Planned-Development Zone, P-D (73) to provide for the relocation of buildings on the site and the installation of a helicopter landing area, on property located at the northeast corner of Briggsmore Avenue and Coffee Road, described as follows:

> All that portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> All of Parcel 4 as shown on that certain map filed in Volume 12 of Parcel Maps, at page 37, in the Stanislaus County Records, including also the southerly 30 feet of Spanos Court and the easterly 60 feet of Coffee Road, all being immediately adjacent to said Parcel 4.
>
> Including also all that portion of property situated between the south line of the above described property and the south line of said Section 15,

and

WHEREAS, after public hearing held on January 9, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that an amendment to Planned-Development Zone, P-D (73) as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed amendment to P-D (73) would revise the master plan approved in 1970 for Memorial Hospital.

2. The revised master plan does not expand the total square footage of buildings approved in 1970 but merely provides for a relocation of buildings on the site.

3. The nearest hospital structures to a residential zone boundary will be at least 50 feet away which is a sufficient separation between hospital and adjacent residential uses,

and

WHEREAS, after a public hearing held on January 9, 1979, in the City Council Chambers, City Hall, 801 11th, Street, Modesto, California, the Council found and determined that the application of Memorial Hospital Association of Stanislaus County for an amendment to Planned-Development Zone, P-D (73) should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 2795 -C.S. on the 9th day of January, 1979, amending Planned-Development Zone, P-D (73),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. A revised development plan for Planned-Development Zone, P-D (73), is hereby approved in accordance with the plan titled

"Future Development Plan 1979-89 amended P-D (73)", as amended in red on its face, stamped approved by the Planning Commission on November 21, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the easterly property line.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall install 4 additional fire hydrants and the pipeline system therefor in accordance with the requirements to the specifications of the Fire Chief. Those hydrants serving the mental health facility and the convalescent hospital may be constructed in conjunction with the building of these two facilities.

5. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. That all additional signs to be constructed on the site shall comply with the sign requirements of the H-1 Zone. The existing monument sign on the Coffee Road frontage shall continue to be permitted although it does not comply with the H-1 Zone sign standards.

7. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

8. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

9. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

10. That the helicopter landing area as indicated on the plan referred to above, shall be built to all City of Modesto, State, and Federal Aviation Agency standards and specifications.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D (73):

That all development be accomplished in one phase with construction already having commenced and with completion to be by January 1, 1989.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until Ordinance No. ____-C.S. amending Planned-Development Zone, P-D (73), becomes effective.

The foregoing resolution was introduced at a regular meeting of the council of the City of Modesto held on the 9th day of January, 1979, by Councilmember _____, who moved its adoption, which motion being duly seconded by Councilmember _____, was upon roll call carried and

the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Sinkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Hemminger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Department of Planning and
Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-25

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D (73). (MEMORIAL HOSPITAL)

WHEREAS, on January 9, 1979, the City Council adopted Ordinance No. 1799 -C.S. giving approval to a project relating to an amendment to Planned Development Zone, P-D (73), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Planned Development Zone, P-D (73).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Henninger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-26

A RESOLUTION DENYING THE APPEAL OF RULE ENTERPRISES TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 15-3-9 OF THE ZONING MAP TO REZONE FROM PROFESSIONAL OFFICE ZONE, P-O, TO PLANNED DEVELOPMENT ZONE, (P-D), PROPERTY LOCATED AT THE NORTHWEST CORNER OF OAKDALE ROAD AND LANCEY DRIVE IN THE CITY OF MODESTO, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 15-3-9 of the Zoning Map was filed by Rule Development on October 17, 1978, to rezone from Professional Office Zone, P-O, to Planned Development Zone, P-D, to allow a professional office complex and a commercial bank on property located at the northwest corner of Oakdale Road and Lancey Drive in the City of Modesto, described as follows:

All that portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Lot 18 in Block 12717 of Briggsmore Place as shown on the map filed in Volume 25 of Maps, at page 42, and all of Parcel B as shown on the map filed in Volume 22 of Parcel Maps, at page 65, being a portion of Lot 17 of Block 12717 of said Briggsmore Place, all filed in Stanislaus County Records.

Including all that portion of Lancey Drive situated between the South line of said Lot 18 and Parcel B in Block 12717 and the centerline of Lancey Drive.

Including also the westerly 50.00 feet of Oakdale Road immediately adjacent to the above described property.

Containing 1.87 acres net,

and

WHEREAS, a public hearing was held by the Planning Commission on November 21, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence, both oral and documentary, was

received and considered, and

WHEREAS, on November 21, 1978, the Planning Commission by Resolution No. 78-225 denied the requested rezoning from Professional Office Zone, P-O, to Planned Development Zone, P-D, of the property located at the northwest corner of Oakdale Road and Lancey Drive in the City of Modesto, as described above, and found and determined that the requested rezoning was not required by public necessity, convenience, and general welfare for the following reasons:

1. The existing Professional Office, P-O, Zone is proper for the subject property, providing a good land use buffer to the Oakmore Plaza neighborhood shopping center across Lancey Drive to the north.

2. In early 1976, the P-O Zone was changed to allow a more liberal use of business office uses, but commercial banks were expressly prohibited.

3. The proposed commercial bank properly belongs in the shopping centers on the same basis that competing retail uses do,

and

WHEREAS, by letter dated December 4, 1978, Rule Enterprises filed an appeal to the decision of the Planning Commission denying its request for rezoning from Professional Office Zone, P-O, to Planned Development Zone, P-D, of the above described property located at the northwest corner of Oakdale Road and Lancey Drive in the City of Modesto, and

WHEREAS, a public hearing was held by the Council of the City of Modesto on January 9, 1979, to consider the appeal of Rule Development to the decision of the Planning Commission denying rezoning from Professional Office Zone, P-O, to Planned Development Zone, P-D, of the above described property located at the northwest corner of Oakdale Road and Lancey Drive in the City of Modesto, and

WHEREAS, said Council, after hearing evidence both oral and documentary, found and determined that the appeal of Rule Development to the decision of the Planning Commission denying rezoning from Professional Office Zone, P-O, to Planned Development Zone, P-D, of the above described property should be denied for the following reasons:

1. The existing Professional Office, P-O, Zone is proper for the subject property, providing a good land use buffer to the Oakmore Plaza neighborhood shopping center across Lancey Drive to the north.

2. In early 1976, the P-O Zone was changed to allow a more liberal use of business office uses, but commercial banks were expressly prohibited.

3. The proposed commercial bank properly belongs in the shopping centers on the same basis that competing retail uses do.

4. The City Council of the City of Modesto is concerned with over-zoning commercial frontages along Oakdale Road,

and

WHEREAS, said Council hereby finds and determines that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Rule Development to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 78-225, denying an amendment to Section 15-3-9 of the Zoning Map to rezone from Professional Office Zone, P-O, to Planned Development Zone, P-D, of the property located at the northwest corner of Oakdale Road and Lancey Drive in the City of Modesto, as above described, should be denied for the reasons set forth above, and that the decision of the Planning Commission be affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Lang, Mensinger, Siefkin

NOES: Councilmembers: Elliott, Kullijian, Mayor Davies

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-27

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (WHITMAN)

WHEREAS, on January 9, 1979, the City Council adopted Ordinance No. 1[illegible]-C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Memsinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Long

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-28

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO FRUIT EXCHANGE, A CORPORATION, FOR THE ACQUISITION OF AN AVIGATION EASEMENT FOR THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Modesto Fruit Exchange, a corporation, for the acquisition of an avigation easement which contains [illegible] square feet, located off runway 10L at the northerly end of the airport, for the Modesto City-County Airport/Harry Sham Field is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Agreement filed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion was duly seconded by Councilmember Kullijian, was [illegible] and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-29

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CALIFORNIA HIGHWAY PATROL TO ALLOW THE MODESTO POLICE DEPARTMENT TO USE CHP RADIO FREQUENCIES FOR EMERGENCIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the California Highway Patrol to allow the Modesto Police Department to use CHP radio frequencies for emergencies

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** May, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Hullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlop, Elliott, Hullijian, Lang, Mensinger, Simon, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-30

A RESOLUTION ACCEPTING A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION TO RAISE THE GRANT OFFER FOR THE PROPOSED CRASH FIRE RESCUE STATION (ADAP PROJECT 6-06-0153-06) AT THE MODESTO CITY-COUNCIL AIRPORT/ HARRY SHAM FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the City of Modesto shall accept the Amendment No. 1 of the Grant Agreement of the United States of America in the amount of $392,873 for the purpose of obtaining Federal aid under Project No. 6-06-0153-06) in the development of Modesto City-County Airport/Harry Sham Field.

BE IT FURTHER RESOLVED that the City Manager of the City of Modesto is hereby authorized to execute said Amendment No. 1 of Grant Agreement, a true copy of which is attached hereto and made a part hereof, on behalf of the City of Modesto, and the City Clerk is hereby authorized and directed to attest the signature of the City Manager and to impress the official seal of the City of Modesto on the aforesaid statement of acceptance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true, and correct copy of Resolution No. 79-30, adopted at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City of Modesto this 9th day of January, 1979.

Norrine Coyle

NORRINE COYLE, City Clerk

DEPARTMENT OF TRANSPO. T N
FEDERAL AVIATION ADMINISTRATION

Contract No. DOT FA78WI-4564

Modesto City-County Airport/Harry Sham Field Airport

Modesto, California
(Location)

AMENDMENT NO. 1 TO GRANT AGREEMENT FOR PROJECT NO. 6-06-0153-0[illegible]

WHEREAS, the Federal Aviation Administration (hereinafter referred to as the "FAA") has determined it to be in the interest of the United States that the Grant Agreement between the FAA, acting for and on behalf of the United States, and the City of Modesto, California

(hereinafter referred to as the "Sponsor"), accepted by said Sponsor on the 17th day of July, 1978, be amended as hereinafter provided.

NOW THEREFORE, WITNESSETH:

That in consideration of the benefits to accrue to the parties hereto, the FAA on behalf of the United States, on the one part, and the Sponsor, on the other part, do hereby mutually agree as follows:

A. The last "Whereas" paragraph on page 1 is hereby revised to read as follows:

"WHEREAS, this project will not be completed during fiscal year 1978 and the total estimated cost of the project will be $465,545."

B. The "Now Therefore" paragraph on page 2 is hereby revised to add after the words "90 percent of the allowable project costs"; "for the fiscal year 1978 Grant Agreement and 80.59 percent for the fiscal year 1979 amended increase."

C. Delete paragraph 1 of Terms and Conditions on page 2 of said Grant Agreement and substitute in lieu of the following:

"The maximum obligation of the United States payable under this Offer is $169,194 and is hereby increased by $223,679 to $392,873. Such maximum obligation may be increased by the additional amount(s), if any, added by any amendment to this grant issued pursuant to Paragraph 1a below, but such increased maximum obligation will not exceed, in the aggregate, the United States share of the total estimated cost of the project stated above."

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to said Grant Agreement to be duly executed as of the _____ day of _____, 19___.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WESTERN REGION

By: _____

Title: Acting Chief, Airports District Office

THE CITY OF MODESTO, CALIFORNIA
(Sponsor)

By: _____

(SEAL)

Title: _____

Attest: _____

Title: _____

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the City of Modesto, California (hereinafter referred to as "Sponsor") do hereby certify:

That I have examined the foregoing Amendment to Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the execution thereof by said Sponsor has been duly authorized and is in all respects due and proper and in accordance with the laws of the State of California, and further that, in my opinion, said Amendment to Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at _____, this _____ day of _____, 19___.

_____

Title: _____

MODESTO CITY COUNCIL
RESOLUTION NO. 79-31

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CROWS LANDING ROAD ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Crows Landing Road Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Crows Landing Road Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

CROWS LANDING ROAD ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9 and the Southwest quarter of Section 9 and the Southeast quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the East line of Crows Landing Road;

1. thence continuing along the existing City Limits and a Southern line of said ADDITION (85), along the quarter section line of Section 9, South 89° 54' 58" East, 1296.45 feet, to the Northeastern corner of the property conveyed to Joseph Agresti, et al, by deed recorded in Volume 2389 of Official Records at Page 537, Stanislaus County Records;

2. thence leaving the existing City Limits along the East line of said Agresti property, South 00° 10' 05" East, 647.00 feet, to the Southeastern corner thereof;

3. thence along the Southerly line of said Agresti property, and its Westerly extension, North 89° 50' 30" West, 1328.73 feet, to a point on the West line of said Section 9, said point also being on the center line of 60 foot Crows Landing Road;

4. thence along said Section line South 00° 02' 00" West, 550.06 feet;

5. thence parallel with and 120.00 feet North of the North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 660.00 feet;

6. thence South 00° 02' 00" West, 120.00 feet, to a point on said North line of the South half of the Southeast quarter of Section 8;

7. thence along said North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 1369.60 feet, to a point on the Eastern line of the RUTHERFORD TRACT, as recorded in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along the East line of said tract, North 00° 13' 00" East, 660.00 feet, to a point on the Southern line of the FRAZIER HOME TRACT, as recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records;

9. thence along the Northern line of the property conveyed to Richard G. Herron, et al, by deed recorded in Volume 3032 of Official Records, at Page 68, Stanislaus County Records, South 89° 20' 00" East, 747.90 feet, to the Southwestern corner of the property conveyed to Alfred T. Sarina, et al, by deed recorded in Volume 3036, Page 212, Stanislaus County Records;

10. thence along the Western line of said Sarina property and its Northerly extension, North 00° 03' 30" East, 204.69 feet, to the center line of 60.00 foot Imperial Avenue;

11. thence along said center line, South 89° 14' 00" East, 60.00 feet, to its intersection with the Northerly extension of the Eastern line of the Sarina property;

12. thence along the Northerly extension of the Eastern line of the aforementioned Sarina property, South 00° 03' 30" West, 204.68 feet, to the Southwestern corner of said property;

13. thence along the Northern line of the aforementioned Herron property, South 89° 20' 00" East, 559.30 feet, to a point on the Western line of the property conveyed to Industrial Fire Protection District by deed recorded in Volume 3031, Page 646, Stanislaus County Records;

14. thence South 00° 02' 00" West, 100.00 feet;

15. thence South 89° 20' 00" East, 367.85 feet;

16. thence North 00° 02' 00" East, 50.00 feet, to the Southeast corner of Parcel 1 as recorded in Book 4 of Parcel Maps, Page 99, Stanislaus County Records;

17. thence along the Eastern line of said Parcel 1 and its Northerly extension as shown and recorded in Volume 4 of Parcel Maps, Page 50, Stanislaus County Records, North 00° 02' 00" East, 217.70 feet, to a point on the center line of 60.00 foot Imperial Avenue;

18. thence along said center line South 74° 24' 00" East, 92.58 feet;

19. thence along said center line South 89° 14' 00" East, 203.37 feet, to said West line of Section 9;

20. thence along said Western line of Section 9, North 00° 02' 00" East, 511.92 feet, to the West quarter corner of Section 9;

21. thence along the East West quarter Section line of said Section 9, South 89° 54' 58" East, 30.00 feet, to the point of beginning, containing 49.031 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-32

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DALE-SNYDER ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Dale-Snyder Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Dale-Snyder Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sieglkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

DALE - SNYDER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the BECKWITH NO. 1 ADDITION (306), as per description filed June 19, 1973, as Instrument 54524, Stanislaus County Records, said point being on the center line of Dale Road and the section line common to Sections 11 and 12;

1. thence continuing along the existing City Limits and a Northern line of said ADDITION (306), South 89° 40' 39" West, 2642.49 feet;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (306), North 00° 07' 05" East, 665.10 feet, to the North quarter corner of Section 11;

3. thence continuing along the existing City Limits and the Southern line of PELANDALE NO. 1 ADDITION (370), as per description filed March 29, 1978, as Instrument 61430, Stanislaus County Records, North 89° 44' 14" East, 2641.11 feet, to the Northeastern corner of Section 11, and the center line of Dale Road;

4. thence leaving the existing City Limits and continuing along the center line of Dale Road, South, 662.34 feet, to the point of beginning, containing 40.252 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-33

A RESOLUTION STATING THE INTENTION OF THE CITY OF MODESTO NOT TO SUCCEED TO CALIFORNIA LAND CONSERVATION ACT CONTRACTS IN THE DALE-SNYDER ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto on January 9, 1979, adopted City Council Resolution No. 79-32 annexing uninhabited territory known as the Dale-Snyder Annexation to the City of Modesto, and

WHEREAS, a parcel of land included in said annexation, known as the Johanna Kenney property, is subject to a California Land Conservation Act Contract which was approved by the County of Stanislaus, being more fully described in Contract No. 76-2056, adopted on October 28, 1975 and recorded in Volume 2743, page 155 of the Official Records of Stanislaus County, and

WHEREAS, the City of Modesto by City Council Resolution No. 75-928, adopted on September 15, 1975, duly filed its protest to the said contract with the Local Agency Formation Commission, and

WHEREAS, the Local Agency Formation Commission upheld said protests by a resolution entitled "In Re: California Land Conservation Act Contract Protests" adopted on April 19, 1978,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto, pursuant to the provisions of Government Code Section 51243, hereby states its intention not to succeed and does not succeed to the above described California Land Conservation Act Contract pertaining to said Dale-Snyder Annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979,

by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-34

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS BRIGGS-WHEATLEY ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Briggs-Wheatley Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Briggs-Wheatley Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sieglin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

BRIGGS - WHEATLEY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all of Lots 11 and 16 of the RE-SURVEY OF BRICHMAN'S ADDITION TO THE CITY OF MODESTO, as per map filed October 10, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northwest corner of the BRIGGS NO. 1 ANNEXATION (387), as per description filed October 30, 1978, as Instrument 28121, Stanislaus County Records, said point being the center line of 60.00 foot Briggs Avenue;

1. thence continuing along the existing City Limits and the Western line of said ADDITION (387), South 00° 11' 00" West, 496.68 feet;

2. thence leaving the existing City Limits, North 89° 49' 00" West, 933.36 feet;

3. thence North 00° 11' 00" East, 496.68 feet, to the center line of Briggs Avenue;

4. thence along the center line of Briggs Avenue, South 89° 49' 00" East, 933.36 feet, to the point of beginning, containing 10.642 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-35

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ORCHARD NEIGHBORHOOD ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Orchard Neighborhood Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Allen R. Grant, et ux	P. O. Box 3028, Modesto, CA 95351
Arlo F. Hilkey, et ux	2825 Merle Avenue, Modesto, CA 95355

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Orchard Neighborhood Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 27th day of February, 19 79, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

STANISLAUS COUNTY

LOCAL AGENCY FORMATION COMMISSION

IN RE:	RESOLUTION
ORCHARD NEIGHBORHOOD ANNEXATION TO THE CITY OF MODESTO	November 29, 1978

WHEREAS, at the time and place previously fixed for a public hearing on the proposed Orchard Neighborhood annexation to the City of Modesto , said public hearing was held; and

WHEREAS, notice of said public hearing was given as required by Section 35055 of the Government Code of the State of California. and the affidavit of Lloyd R. Brouillard to this effect is on file; and

WHEREAS, this Commission has heard all parties requesting to be heard on this matter and has given consideration to all factors required by Section 35150 of the Government Code of the State of California.

NOW, THEREFORE, this Commission hereby certifies that the Encironmental Impact Report which was prepared by the City of Modesto's Department of Planning and Community Development has been prepared in compliance with the California Environmental Quality Act and the applicable State of California guidelines, and this Commission has considered its contents.

This Commission finds that:

a) the Environmental Impact Report does not identify any significant unmitigated environmental impacts,

b) the proposal is inhabited under the provisions of the Muni-

Exhibit A

cipal Organization Act of 1979,

c) the unincorporated island which would be formed by the approval of the proposal would not be detrimental to the orderly formation of the City of Modesto, and that the territory in the island cannot be annexed to a city other than Modesto,

d) the proposal is consistent with all applicable local general plans

BE IT RESOLVED that

a) this Commission waives the restrictions of Section 35010 of the Government Code,

b) the proposal is designated as the Orchard Neighbrohood Annexation to the City of Modesto,

c) the proposal is approved as submitted,

d) the City of Modesto is designated as the conducting authority and its city council is directed to initiate annexation proceedings.

Upon motion by Commissioner Logsdon , seconded by Commissioner Garcia , the foregoing resolution was duly passed and adopted at a regular meeting of the Stanislaus Local Agency Formation Commission this 29th day of November , 1978, by the following called vote:

AYES: COMMISSIONERS: Logsdon, Garcia, and Ulm

NOES: COMMISSIONERS: Draper and Conditt

ABSENT: COMMISSIONERS: None

ABSTAINING OR DISQUALIFIED: COMMISSIONERS: Sieglock and Arakelian

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors. DEC 6 - 1978
STEVE NEISON
County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Stanislaus, State of California
By Deputy

ATTEST: Curtis R Cook
Assistant Executive Officer

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

None

ORCHARD NEIGHBORHOOD ADDITION

All that property in the State of California, County of Stanislaus, being a portion of the South 1/2 of the North 1/2 of Section 14, and all of the South 1/2 of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point bearing North 00° 21' 00" West, 345.64 feet, from the Southwest corner of Section 14;

1. thence continuing along the existing City Limits along the West line of Section 14 and the Eastern line of said ADDITION (230), North 00° 21' 00" West, 976.16 feet, to a Southeastern corner of ROSE ACRES ADDITION (181), as per description filed Septemeber 27, 1965, as Instrument 37370, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (181), North 00° 21' 00" West, 676.00 feet, to the Southeast corner of CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (268), North 00° 21' 00" West, 645.80 feet, to the West 1/4 corner of Section 14;

4. thence leaving the existing City Limits, and continuing along the center line of Oakdale Road, North 00° 21' 00" West, 660.96 feet, to the Southeast corner of OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3 , 1978, as Instrument 7281, Stanislaus County Records;

5. thence along the existing City Limits and the Eastern line of said ADDITION (379), North 00° 21' 00" West, 660.96 feet, to the Northeast 1/4 1/4 corner of Section 14 and the center line of 40.00 foot Floyd Avenue;

6. thence leaving the existing City Limits along the center line of said avenue and the 1/4 1/4 Section line, South 89° 33' 41" East, 5249.79 feet, to the Northwest 1/4 1/4 corner of Section 14;

7. thence South 00° 25' 10" East, 2645.95 feet, to the center line of 40.00 foot Merle Avenue;

8. thence South 00° 25' 10" East, 205.00 feet;

9. thence North 89° 34' 50" East, 5.67 feet;

10. thence South 00° 25' 10" East, 1037.08 feet;

11. thence South 89° 34' 50" West, 5.67 feet;

12. thence South 00° 25' 10" East, 82.17 feet, to the Southeast corner of Section 14;

13. thence North 00° 12' 14" West, 12.17 feet, to the center line of the 140.00 foot Modesto Irrigation District Lateral No. 3;

14. thence continuing along the center line of M. I. D. Lateral No. 3, North 89° 43' 14" West, 1651.06 feet;

15. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 44" West, 986.29 feet;

16. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 25' 48" West, 2064.18 feet;

17. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 18" West, 263.85 feet;

18. thence continuing along the center line of M. I. D. Lateral No. 3, along a tangent curve which is concave to the Southwest, having a Central Angle of 35° 18' 12", a Radius of 473.10 feet, and an Arc Length of 295.51 feet;

19. thence continuing along the center line of M. I. D. Lateral No. 3, South 62° 24' 30" West, 42.71 feet to the center line of 100.00 foot Oakdale Road and the point of beginning, containing 459.199 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-36

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF INHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS KANSAS AVENUE NO. 2 ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of land or registered voters residing within territory in the County of Stanislaus requesting annexation of the Kansas Avenue No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978, determined that said territory is inhabited and approved the initiation of proceedings for annexation of said inhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Harry O. Kline	1109 Kansas Avenue, Modesto, CA 95351
H. V. Cummins	P. O. Box 3836, Modesto, CA 95352
Ignazio Grimaldi	P. O. Box 384, Modesto, CA 95353

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Kansas Avenue No. 2 Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 27th day of February, 1979, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any owner of land or registered voter residing within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of land with the description and area of such property, in general terms, or the name and address of the registered voter.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

STANISLAUS COUNTY

LOCAL AGENCY FORMATION COMMISSION

IN RE:

KANSAS AVENUE NUMBER 2 ANNEXATION TO THE CITY OF MODESTO

R E S O L U T I O N

November 29, 1978

WHEREAS, at the time and place previously fixed for a public hearing on the proposed Kansas Avenue No. 2 Annexation to the City of Modesto , said public hearing was held; and

WHEREAS, notice of said public hearing was given as required by Section 35055 of the Government Code of the State of California and the affidavit of Lloyd R. Brouillard to this effect is on file; and

WHEREAS, this Commission has heard all parties requesting to be heard on this matter and has given consideration to all factors required by Section 35150 of the Government Code of the State of California.

NOW, THEREFORE, this Commission finds and determines that

a) the proposal is consistent with all applicable local general plans;

b) the annexation area is committed to urbanization and should thus be within the City of Modesto where proper urban services are available;

BE IT RESOLVED and ordered that

a) the proposal is designated as the Kansas Avenue No. 2 Annexation to the City of Modesto;

b) the proposal is approved as submitted;

Exhibit A

c) the City of Modesto is designated as the conducting authority and its council is directed to initiate annexation proceedings.

Upon motion by Commissioner Draper , seconded by Commissioner Garcia , the foregoing resolution was duly passed and adopted at a regular meeting of the Stanislaus Local Agency Formation Commission this 29th day of November , 1978, by the following called vote:

AYES:	COMMISSIONERS:	Logsdon, Garcia, Draper, Condit and Chairman Arakelian
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAINING OR DISQUALIFIED:	COMMISSIONERS:	Siefkin and Ulm

ATTEST: _____
Assistant Executive Officer

I hereby certify that the foregoing is a full, true and correct copy of the Original entered in the Minutes of the Board of Supervisors.

DEC 6 - 1978

STEVE R. NELSON
County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Stanislaus, State of California

By _____ Deputy

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

none

12. thence continuing along the center line of said avenue, North 25° 41' 00" East, 214.50 feet;

13. thence continuing along the center line of said avenue, North 07° 17' 00" East, 66.00 feet;

14. thence continuing along the center line of said avenue, North 13° 20' 40" West, 82.50 feet;

15. thence continuing along the center line of said avenue, North 34° 10' 40" West, 99.00 feet;

16. thence continuing along the center line of said avenue, North 54° 27' 20" West, 249.55 feet;

17. thence continuing along the center line of said avenue, North 00° 53' 15" West, 610.77 feet;

18. thence South 89° 26' 27" East, 1324.31 feet, to the center line of 40.00 foot Lone Palm Avenue;

19. thence continuing along the center line of 40.00 foot Lone Palm Avenue, South 00° 34' 00" East, 1300.19 feet, to the center line of 40.00 Kansas Avenue;

20. thence along the center line of said avenue, South 89° 45' 30" East, 639.80 feet, to the point of beginning, containing 52.474 Acres, more or less.

KANSAS AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the KANSAS AVENUE ADDITION (378), as per description filed July 24, 1978, as Instrument 4617, Stanislaus County Records, said corner being the intersection of the center lines of Kansas Avenue and Emerald Avenue, which lies 20 feet Westerly from the interior quarter corner of Section 30;

1. thence continuing along the existing City Limits and the center line of 60.00 foot Emerald Avenue, South 00° 30' 00" East, 268.87 feet;

2. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 88° 28' 38" West, 684.03 feet;

3. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 89° 47' 54" West, 801.21 feet;

4. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 86° 20' 47" West, 495.02 feet;

5. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 81° 06' 57" West, 543.24 feet;

6. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 47° 50' 35" West, 125.90 feet;

7. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 89° 11' 07" West, 45.00 feet to the center line 90.00 foot Carpenter Road;

8. thence leaving the existing City Limits along the center line of said road, North 00° 48' 53" West, 96.10 feet, to the center line of 40.00 foot Kansas Avenue;

9. thence continuing along the center line of said avenue, South 89° 45' 30" East, 855.37 feet, to the intersection of 40.00 foot Reno Avenue;

10. thence along the center line of 40.00 foot Reno Avenue, North 04° 26' 00" West, 66.53 feet;

11. thence continuing along the center line of said avenue, North 09° 14' 00" East, 66.00 feet;

Exhibit C

MODESTO CITY COUNCIL
RESOLUTION NO. 79-37

A RESOLUTION APPROVING THE FINAL MAP OF THE MILLS GARDENS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rodney R. Johnson and Susan P. Johnson, husband and wife,

XX (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.262 acres, known as the Mills Gardens Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 6th day of June, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Mills Gardens Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-38

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL RESERVE FOR PERMANENT BARRICADES ALONG CERTAIN McHENRY AVENUE SIDE STREETS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve	$5,000.00
TO:	Public Works Street Division Materials	$5,000.00

To provide for installation and maintenance through fiscal year 1979-80 of barricades along McHenry Avenue side streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** May, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-39

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR CONSTRUCTION OF WATERLINE EXTENSIONS ON WOODLAND AVENUE, LILLIAN DRIVE, FLOYD AVENUE, AND AT SNYDER AND PRESCOTT

WHEREAS, Resolution No. 78-1298 **, adopted by the Council of the City of Modesto on** December 26, 1978 **, approved the plans and specifications for the** construction of waterline extensions on Woodland Ave., Lillian Drive, Floyd Avenue, and at Snyder and Prescott **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of waterline extensions on Woodland Ave., Lillian Drive, Floyd Avenue, and at Snyder and Prescott **were opened at** [illegible] **on** January 9, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin Pipeline, Inc. in the amount of $51,971.40 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $51,971.40 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** January **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
JUDY C HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-40

A RESOLUTION ACCEPTING THE BID OF BDS COMPUTER CORPORATION **FOR** FURNISHING ONE DATA PROCESSING LINE PRINTER

WHEREAS, Resolution No. 78-1247 **, adopted by the Council of the City of Modesto on** December 11, 1978 **, approved the plans and specifications for the** purchase of one data processing line printer

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one data processing line printer

were opened at [illegible] January 9, 1979, **and later tabulated by the** [illegible] **for the consideration of the Council, and**

WHEREAS, the [illegible] **has recommended that the bid of** [illegible] **in the amount of** $31,059

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** January **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-41

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH A.B. DICK COMPANY FOR THE PURCHASE OF CHS PRINTING SYSTEM.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one printing system is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with A.B. Dick Company for the purchase of one printing system for the total purchase price of $[illegible].57 including state and local taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-42

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH KIER CRANE COMPANY FOR DREDGING THE DRAINAGE DITCH AND CHLORINE CONTACT BASIN AT THE WASTEWATER TREATMENT PLANT POND SITE

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the dredging of drainage ditch and chlorine contact basin at the Wastewater Treatment Plant pond site is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Kier Crane Company for dredging the drainage ditch and chlorine contact basin at the Wastewater Treatment Plant pond site for the total price of $9,000 including state and local taxes.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember **Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember **Lang**, was thereupon put and carried and the resolution adopted by the following vote:

AYES: Councilmembers: **Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies**

NOES: Councilmembers: **None**

ABSENT: Councilmembers: **None**

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.79-43

RESCINDED
1992-198
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

A RESOLUTION AMENDING RESOLUTION NO. 77-486 ENTITLED "A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING THE CONFLICT OF INTEREST CODE OF THE PARKS AND RECREATION DEPARTMENT OF THE CITY OF MODESTO".

WHEREAS, by Resolution No. 77-486, adopted on May 9, 1977, the City Council, pursuant to Government Code Section 87303, approved the Conflict of Interest Code of the Parks and Recreation Department of the City of Modesto, and

WHEREAS, since approval of said Code there have been changed circumstances necessitating amendment of the Code in that the position of Arborist, with Disclosure Category 2, should be added to the Parks and Recreation Code. A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 77-486 entitled "A Resolution Of The Council Of The City Of Modesto Approving The Conflict Of Interest Code Of The Parks And Recreation Department Of The City Of Modesto" is hereby amended to add the position of Arborist, with Disclosure Category 2. A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motion

being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Sieffin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Administrative Analyst	2
Arborist	2
Director of Parks and Recreation	1, 2
Landscape Designer	2
Parks and Recreation Superintendents	1, 2
Recreation Supervisors	2
Park Maintenance Supervisor II	2
Park Maintenance Supervisor I	2
Museum Supervisor	2

WPC

MODESTO CITY COUNCIL
RESOLUTION NO. 79-44

RESCINDED
1992-202
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION

A RESOLUTION AMENDING RESOLUTION NO. 77-1219 ENTITLED "A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING THE CONFLICT OF INTEREST CODE OF THE PUBLIC WORKS DEPARTMENT OF THE CITY OF MODESTO".

WHEREAS, by Resolution No. 77-1219, adopted on November 28, 1977, the City Council, pursuant to Government Code Section 87303, approved the Conflict of Interest Code of the Public Works Department of the City of Modesto, and

WHEREAS, since approval of said Code there have been changed circumstances necessitating amendment of the Code in that the position of Supervising Building Inspector, with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(f) should be added thereto and the position of Lead Building Inspector, with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(f) should be deleted. A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 77-1219 entitled "A Resolution Of The Council Of The City Of Modesto Approving The Conflict Of Interest Code Of The Public Works Department Of The City Of Modesto" is hereby amended to add the position of Supervising Building Inspector with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(f) and to delete the position of Lead Building Inspector, with Disclosure Categories 1, 2, 3, 4(a), 4(b) and 4(f). A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979,

by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions	Disclosure Category
Administrative Analyst	4(g), 4(h)
Airport Manager	4(a), 4(b), 4(c)
Assistant Director of Public Works	1, 2, 3, 4(n)
Assistant Property Agent	4(g), 4(h)
Associate Civil Engineer	1, 2, 3, 4(n)
Building Inspector	4(f)
Building Maintenance Supervisor	4(e)
Chief Building Official	1, 2, 3, 4(a), 4(b), 4(f), 4(m)
Chief Electrician	4(a), 4(b), 4(h)
Civil Engineering Tech. III (Sdw. Program)	4(f)
Construction Inspector	4(f)
Director of Public Works/City Engineer	1, 2, 3, 4(n)
Equipment Repair Shop Supervisor	4(a), 4(b), 4(d)
Industrial Waste Inspector	4(j)
Plan Review Engineer I	1, 2, 3, 4(a), 4(b), 4(f)
Plan Review Engineer II	1, 2, 3, 4(a), 4(b), 4(f)
Property Agent	1, 2, 3, 4(a), 4(b), 4(k)
Public Services Inspector	4(l)
Senior Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Streets Maintenance Engineer	1, 2, 3, 4(a), 4(b), 4(f)
Supervising Building Inspector	1, 2, 3, 4(a), 4(b), 4(f)
Wastewater Treatment Plant Supervisor	4(j)
Water Quality Control Superintendent	1, 2, 3, 4(a), 4(b), 4(j)
Water Superintendent	1, 2, 3, 4(a), 4(b), 4(g)
Zoning Inspector	4(m)

WPC

MODESTO CITY COUNCIL
RESOLUTION NO. 79-45

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (U. Z. BRANNON)

WHEREAS, on January 16, 1979, the City Council adopted Ordinance No. 1798 -C.S. giving approval to a project relating to an amendment to Section Map 19-3-9 of the Zoning Map to rezone certain property from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3 to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-9 of the Zoning Map to rezone certain property from Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3 to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-46

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JAMES D. HAUB)

WHEREAS, on January 16, 1979, the City Council adopted Ordinance No. 1799 -C.S. giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-47

A RESOLUTION GRANTING THE APPEAL OF DENNIS WILSON OF MID-VALLEY ENGINEERING, FILED ON BEHALF OF MODESTO DEVELOPMENT, TO THE FINDING BY THE ENVIRONMENTAL ASSESSMENT COMMITTEE OF THE CITY OF MODESTO THAT AN ENVIRONMENTAL IMPACT REPORT IS NECESSARY ON MODESTO DEVELOPMENT'S APPLICATION DATED DECEMBER 19, 1978, FOR AN AMENDMENT TO THE ZONING MAP TO PREZONE TO PLANNED DEVELOPMENT ZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF SCENIC DRIVE AND CLAUS ROAD; OVERRULING THE DECISION OF THE ENVIRONMENTAL ASSESSMENT COMMITTEE REQUIRING AN ENVIRONMENTAL IMPACT REPORT; AND ALLOWING MODESTO DEVELOPMENT TO PROCEED WITH ITS APPLICATION FOR AN AMENDMENT TO THE ZONING MAP TO PREZONE TO PLANNED DEVELOPMENT ZONING.

WHEREAS, an application dated December 19, 1978 for an amendment to the Zoning Map for prezoning to Planned Development Zoning, P-D, was filed with the Planning Commission by Modesto Development, Developer, and Mid-Valley Engineering, its Agent, and

WHEREAS, said application for an amendment to the Zoning Map for prezoning to Planned Development Zoning, P-D, was referred to the Environmental Assessment Committee of the City of Modesto, which Committee found and determined that an Environmental Impact Report was required on the requested prezoning for Planned Development Zoning, P-D, because the prezoning and cumulative prezonings of a similar nature could conflict with or cause a change in land use not anticipated by the General Plan and the approved neighborhood zoning and development plan, could have environmental impacts which are individually limited but cumulatively considerable, and could result in significant generation of additional vehicle movement, and

WHEREAS, on January 3, 1979, Dennis Wilson of Mid-Valley Engineering, on behalf of Modesto Development, filed an appeal to the decision of the Environmental Assessment Committee with the City Clerk of the City of Modesto, which appeal was set for a public hearing by the City Council on January 16, 1979, at 4:00 o'clock P.M., at which time the Council found and determined that said appeal to the finding by the Environmental Assessment Committee that an Environmental Impact Report is required on said application for Planned Development Zoning, P-D, should be granted, and that an Environmental Impact Report is not required to be filed for the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby grants the appeal of Dennis Wilson of Mid-Valley Engineering, filed on behalf of Modesto Development, to the decision of the Environmental Assessment Committee of the City of Modesto which found that an Environmental Impact Report was necessary on Modesto Development's application dated December 19, 1978, for an amendment to the Zoning Map for Planned Development Zoning, P-D.

BE IT FURTHER RESOLVED that an Environmental Impact Report is not required on the application of Modesto Development for an amendment to the Zoning Map for Planned Development Zoning, P-D, because the proposed project will not conflict with or cause a change in land use not anticipated by the General Plan and the approved neighborhood zoning and development plan, will not have environmental impacts which are individually limited but cumulatively considerable, and will not result in significant generation of additional vehicle movement, for the following reasons:

1. The proposed project is located at the intersection of two major streets, at the juncture of the Lakewood, Lakewood East, Yosemite, and Empire West neighborhoods. While no shopping center is shown on the General Plan map at this intersection, a shopping center is shown at the intersection of Briggsmore Avenue and Claus Road, located approximately three-fourths of a mile north of the proposed project. With the construction of the proposed project, the necessity of an additional shopping center to serve the Lakewood and Lakewood East neighborhoods will no longer exist. Because the proposed project can be viewed as an alternative to the site shown on the General Plan map, it will not result in growth beyond that anticipated by the General Plan, it will not conflict with the General Plan or neighborhood zoning and development plan, nor will it result in a cumulative environmental impact.

2. Any additional vehicular movement generated by the proposed project can be handled adequately due to its location at the intersection of two major streets.

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to file a certified copy of this resolution with the Stanislaus County Clerk as a negative declaration that the proposed prezoning will not have a significant effect on the environment and to publish a notice of preparation of negative declaration one time in

the Modesto Bee. Anyone wishing to respond to the finding of a negative declaration may do so within fifteen (15) days of the date of the filing of this resolution with the Stanislaus County Clerk. This response must be in writing and filed with the City Clerk, City of Modesto, P. O. Box 642, Modesto, California, 95353, and shall name the project as "Prezoning to P-D, Modesto Development - Northwest Corner of Scenic Drive and Claus Road" and the date of filing of this resolution with the Stanislaus County Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang

NOES: Councilmembers: Mensinger, Siefkin, Mayor Davies

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-48

CANCELLING

A RESOLUTION / AGREEMENT BETWEEN THE CITY OF MODESTO AND RICHARD L. SCHNEIDER, ELISE D. SCHNEIDER, dba THRIFTY RENT-A-CAR TO DO BUSINESS AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Richard L. Schneider, Elise D. Schneider, dba Thrifty Rent-A-Car for lease to do business at the City-County Airport

be, and it is hereby cancelled.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-49

A RESOLUTION APPOINTING CHARLES JOLITZ TO THE BOARD OF ZONING ADJUSTMENT AS A REPRESENTATIVE OF THE PLANNING COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Board of Zoning Adjustment as a representative of the Planning Commission for the respective term as indicated:

Charles Jolitz
804 Carmel Drive
Modesto, Ca. 95354
Term to expire: 12/31/79

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Zoning Adjustment as a representative of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-50

A RESOLUTION OF THE MODESTO CITY COUNCIL PROTESTING THE EXECUTION OF AN OPEN SPACE CONTRACT APPLICATION NO. 79-3624 (HASHEM NARAGHI)

WHEREAS, an Open Space Contract Application has been referred to the City of Modesto by the County of Stanislaus, and

WHEREAS, the effect of said application on the City of Modesto has been fully considered, and

WHEREAS, the City staff has recommended that the City protest the execution of said Open Space Contract,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby protest the execution of an Open Space Contract on Application No. 79-3624 (HASHEM NARAGHI).

BE IT FURTHER RESOLVED that this protest be filed with the Stanislaus County Board of Supervisors and the Stanislaus County Local Agency Formation Commission and the Local Agency Formation Commission is hereby requested to hold a hearing and consider this protest as provided for in Section 51243.5 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember

Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
~~NORMA E. COYLE, City Clerk~~
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CA Form
12/28/77

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 51

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create new classifications as follows:

CLASSIFICATIONS CREATED

Arborist

Maintenance Worker

The specifications for the classifications created, as shown on the attached Exhibits "A" and "B", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 2. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classification as shown on Exhibit "C", attached hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Laborer (Unclassified)

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

Arborist

Definition

Under direction, to assist the management of an integrated pest management and disease control program; to perform inspection of trees and research in tree insect/disease control; and to participate in the administration of related tree services activities.

Distinguishing Characteristics

An employee in this classification serves as a specialist in the area of tree insect/disease control. The position will have special emphasis on technical assignments in tree preservation and protection.

Examples of Duties

Plans, organizes and supervises the operational phase of the street and park trees integrated insect/disease control program.
Assists in identification of tree insects/diseases and selection of appropriate treatment methods.
Inspects street and park trees to determine required maintenance.
Requisitions and maintains records of materials, supplies and equipment.
Conducts and maintains current street tree inventory.
Responds frequently to "citizens" inquiries, requests, and complaints relative to street and park tree program.
Prepares written reports on investigations.

Special Requirements

Possession of a valid California Certified Pesticide Applicator's License issued by the State Department of Food and Agriculture. Possession of an appropriate operator's license issued by the California Department of Motor Vehicles. Incumbents will be required to file a Statement of Economic Interests.

Employment Standards

Knowledge of:
Chemical and biological measures used in tree insect/disease control work;
Soils and fertilizers;
Dendrology and plant physiology;
Standard practices, equipment and tools used in tree maintenance work;
Safety codes applied to tree work by E.P.A. and O.H.S.A.;
Methods of biological research.

and

Ability to:
Provide technical advice and assistance on problems relating to street and park trees preservation and protection;
Plan and supervise the work of a small crew;
Maintain records and prepare reports;
Establish and maintain effective working relationships with employees, other agency personnel and the general public.

and

Education:

Equivalent to graduation from an accredited university or college with a major in arboriculture, entomology, plant pathology, horticulture or forestry. (Up to two years of the required education may be substituted with direct experience involving tree insect/disease control, tree planting and tree maintenance.)

MAINTENANCE WORKER

DEFINITION

Under close supervision, to perform unskilled and semiskilled work in the maintenance and repair of parks, park facilities, street trees, water distribution systems, sewer systems, parking lots, streets, traffic control markings, fire hydrants, or other public works; to learn progressively more difficult tasks; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the entry-level classification for entrance into several possible career ladders with the City of Modesto. Persons employed in this classification will have little or no prior experience. Individuals will be assigned to specific work areas according to the City's needs and their abilities. As incumbents perform more difficult tasks, become familiar with assigned work areas, and meet qualifications, they can reasonably expect promotion to a higher working level classification. Some positions involving routine and repetitive work may remain at this level permanently.

EXAMPLES OF DUTIES

Assists in the maintenance and repair of parks, park facilities, street trees, water distribution facilities, sewer systems, parking lots, streets, traffic control markings, fire hydrants and other public works; performs preventive maintenance and some semiskilled repairs; does washing, painting, oiling, greasing, and adjusting; may learn to operate jackhammers and air compressors; may be assigned to assist other personnel in the repair and setting of water meters; mows and trims lawns; trims bushes and hedges; paints fire hydrants and performs periodic maintenance; performs a wide variety of heavy manual labor; may operate equipment in a learning or training capacity; controls traffic in the vicinity of work projects; empties and maintains litter receptacles; sweeps and removes debris from corners and street areas not reached by motor sweepers.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

- Uses and purposes of basic tools and equipment employed in repair and maintenance work;
- Safety precautions and practices necessary with tools and around mechanical equipment.

and

Ability to:

- Use basic tools;
- Perform heavy manual labor;
- Learn to operate a variety of equipment;
- Learn more difficult work procedures and tasks in an assigned area;
- Work irregular shifts or hours;
- Establish and maintain cooperative relationships with those contacted during the course of work;
- Understand oral and written directions.

LABORER (UNCLASSIFIED)

DEFINITION

Under close supervision, to perform unskilled and semiskilled work in the maintenance and repair of water distribution systems, sewer systems, parking lots, parks, streets, traffic control markings, or other public works; to learn progressively more difficult tasks; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Positions in this classification are in the unclassified service. Incumbents in this classification will have little or no prior experience. Individuals will be assigned to specific work areas according to the City's needs and their abilities. In order to be appointed to the classified service, incumbents must compete for a place on an eligible list established through open competition.

EXAMPLES OF DUTIES

Assists in the maintenance and repair of water distribution facilities, sewer systems, parking lots, parks, streets, traffic control markings, and other public works; performs preventive maintenance and some semiskilled repairs; does washing, painting, oiling, greasing, and adjusting; runs jackhammers and air compressors; may be assigned to read water meters and to assist other personnel in the repair and setting of water meters; mows and trims lawns; trims bushes and hedges; paints fire hydrants and performs periodic maintenance; performs a wide variety of heavy manual labor; may operate equipment in a learning or training capacity; controls traffic in the vicinity of work projects; empties and maintains litter receptacles; sweeps and removes debris from corners and street areas not reached by motor sweepers.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-52

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 77-660 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 77-660. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1977-78" attached to Resolution No. 77-660, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1977-78", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" adds the classifications of Arborist to Range 124.5, and Maintenance Worker to Range 116.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

(Effective 7-5-77, amended 7-26-77, 8-15-77, 11-28

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
432.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
124.5	Arborist
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
122.5	Assistant Electrician
426.0	Assistant Chief Electrician
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-53

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MARK TWAIN JUNIOR HIGH SCHOOL TO REINSTATE NEIGHBORHOOD YOUTH ADVISOR PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mark Twain Junior High School **for** reinstatement of the Neighborhood Youth Advisor Program

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** January, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-54

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GODFREY F. CESMAT AND HELLEN M. CESMAT FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 2124 WOODLAND AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Godfrey F. Cesmat and Hellen M. Cesmat **for** water service to property outside City limits at 2124 Woodland Avenue, located on the southeast corner of Woodland Avenue and Rosemore Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** January, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-55

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT ALLOWING FOR THE INSTALLATION OF THE TRUNK SEWER ACROSS THE M.I.D. LATERAL NO. 3

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District for the installation of the trunk sewer across the M.I.D. Lateral No. 3 at the northerly terminus of the Sonoma Trunk Sewer be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-56

A RESOLUTION APPROVING THE REQUEST OF J.C. INSURANCE COMPANY FOR REFUND FOR OVERPAYMENT OF THEIR CITY MILL TAXES IN THE AMOUNT OF $886.68

BE IT RESOLVED by the Council of the City of Modesto that the request of J.C. Insurance Company for refund of $886.68 for overpayment of their City mill taxes is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL
Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-57

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $20,000 FROM THE GENERAL RESERVE FUND TO ECOLOGY ACTION EDUCATIONAL INSTITUTE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM: General Reserve Fund $20,000

This money is needed for a present financial emergency caused by relocation of their facilities, equipment breakdowns, escalating insurance rates, loss of the local paper market as well as loss of income from local paper flow.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of January, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-58

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR LAKEWOOD AVENUE SEWER TRUNK TRENCH REPAIR - PHASE II

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Lakewood Avenue sewer trunk trench repair - Phase II copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 6, 1979, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-59

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE COMMINUTOR-MACERATOR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one comminutor-macerator

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 13, 1979, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Cozle
NORRINE COZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-60

A RESOLUTION ACCEPTING THE BID OF S.P.M. DEVELOPMENT COMPANY FOR REMODELING OF McHENRY MANSION

WHEREAS, Resolution No. 78-1297 , adopted by the Council of the City of Modesto on December 26, 1978 , approved the plans and specifications for the remodeling of McHenry Mansion

and authorized the calling for bids, and

WHEREAS, the bids received for the remodeling of McHenry Mansion

were opened at 11:00 a.m. on January 16, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of S.P.M. Development Company in the amount of $94,444.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of S.P.M. Development Company in the amount of $94,444.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-61

A RESOLUTION ALLOWING MORROW AND WAGGONER, INC. TO WITHDRAW THEIR BID AND ACCEPTING THE BID OF W. GALE FISHER, INC. FOR THE CONSTRUCTION OF HCDA REMOVAL OF ARCHITECTURAL BARRIERS - PHASE II

WHEREAS, Resolution No. 78-1277, **adopted by the Council of the City of Modesto on** December 18, 1978 **, approved the plans and specifications for the** construction of HCDA removal of architectural barriers - Phase II **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of HCDA removal of architectural barriers - Phase II **were opened at** 11:00 a.m. on February 9, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** W. Gale Fisher, Inc. in the amount of $28,900.00, be accepted as the lowest responsible bid, and that Morrow and Waggoner, Inc., be allowed to withdraw their bid because of a requirement misunderstanding.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of W. Gale Fisher in the amount of $28,900.00 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** January **,**

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-62

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINES IN SISK ROAD

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction cf waterlines in Sisk Road has been ccmpleted by Joe Martin

in accordance with the contract agreement dated October 23, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterlines in Sisk Road be accepted from said contractor, Joe Martin;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $10,298.40 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

8

MODESTO CITY COUNCIL
RESOLUTION NO. 79-63

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (WOODLAND-MERCY ADDITION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on December 11, 19 78, duly adopted Resolution No. 78-1263 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 192 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, January 23, 19 79, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 192 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 192 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 192, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 192, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

March 15, 1977
Corrected June 7, 1977

WOODLAND-MERCY ADDITION

All that real property in the State of California, County of Stanislaus being a portion of the Southwest quarter of Section 24 and a portion of the Northwest quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwest corner of BLUE GUM ADDITION (333), as per description filed June 12, 1975, as Instrument 48200, Stanislaus County Records, said point being on the Southern line of Lot 2 of ROSEMORE PARK TRACT, as per map filed April 17, 1907, in Volume 3 of Maps, Page 4, Stanislaus County Records:

1. thence along the existing City Limits of said addition (333), North 88° 33' 02" East, 651.20 feet, to the Northeastern corner of Lot 7 of said ROSEMORE PARK TRACT;
2. thence leaving existing City Limits along the Eastern line of said Lot 7, South 1° 04' 25" East, 1324.61 feet, to the South line of said Section 24;
3. thence along said Southern line, South 88° 36' 00" West, 0.84 feet, to a point on the Northerly extension of the West line of Pleasant Homes, as per map filed in Volume 9 of Maps, Page 67, Stanislaus County Records;
4. thence along said Northerly extension and West line of Pleasant Homes, South 1° 39' 13" East, 1410.32 feet, to the Southeastern corner of Lot 7 of the ELLIOTT TRACT, as per map filed March 16, 1909, in Volume 4 of Maps, Page 17, Stanislaus County Records;
5. thence along a Southern line of said Lot 7, North 69° 30' 53" West, 21.03 feet;
6. thence continuing along a Southern line, North 86° 54' 25" West, 365.76 feet;
7. thence continuing along the Southern line of said Lot 7 and the Southern line of Lot 8 of said ELLIOTT TRACT, North 62° 50' 44" West, 480.36 feet;
8. thence North 1° 39' 13" West, 1144.22 feet, to said South line of Section 24;
9. thence along said Southern line of Section 24, North 88° 36' 00" East, 141.92 feet, to the Southerly extension of the West line of the East half of said Lot 7 of ROSEMORE PARK TRACT;
10. thence along said Southerly extension and Western line of the East half of said Lot 7 of ROSEMORE PARK TRACT, North 1° 03' 45" West, 1324.04 feet, to the Westerly extension of the Southern line of said addition (333);
11. thence along the Westerly extension of the Southern line of said addition (333), North 88° 33' 02" East, 12.38 feet, to the point of beginning, containing 44.588 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on January 23, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Dunlap, and adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: January 23, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-64

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CARPENTER/ RENO DEVELOPMENT GROUP)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No1801-C.S. giving approval to a project relating to an amendment to Section Map 30-3-9 of the Zoning Map to rezone certain property from Planned Development Zone, P-D (182) to Light Industrial Zone, M-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 30-3-9 of the Zoning Map to rezone certain property from Planned Development Zone, P-D (182) to Light Industrial Zone, M-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-65

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PLANNING COMMISSION INITIATED - MARTIN OPTICAL)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No. 1802- C.S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map to rezone certain property from Planned Development Zone P-D (121) to Neighborhood Commercial Zone, C-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map to rezone certain property from Planned Development Zone P-D (121) to Neighborhood Commercial Zone, C-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-66

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (209).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Jim Corn on October 17, 1978, to reclassify from Medium Low Density Residential Zone, R-2 to Planned-Development Zone, P-D, the following described property:

All that portion of the northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the intersection of Yarmouth Drive and East Orangeburg Avenue a point of true beginning, thence running along quarter quarter section line South 89° 38'23" East 285.00 feet, thence North 0° 38'30" West, 310.00 feet; thence, North 89° 40'23" West 110.00 feet; thence South 0° 38'30" East 66.32 feet; thence North 89° 40'23" West 175.00 feet; thence, South 0° 38'30" East 243.68 feet to the true point of beginning.

WHEREAS, after public hearing held on November 21, 1978, and continued to December 5, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The subject property has frontage on Orangeburg Avenue, a major street.

2. The net dwelling unit density is unchanged from that allowed under the existing zoning and conforms to the density patterns of the Modesto Urban Area General Plan.

WHEREAS, after a public hearing held on January 23, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Jim Corn for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1803 -C.S. on the 23rd day of January, 19 79, reclassifying the above-described property from Medium Low Density Residential Zone, R-2 to Planned-Development Zone, P-D (209).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (209), is hereby approved in accordance with the plan titled "East Orangeburg Condominium Project", as amended in red on its face, stamped approved by the Planning Commission on December 5, 19 78, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above.

2. That prior to the sale of any of the individual dwelling units, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

3. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontage .. with the number of trees to be determined by the Director of Public Works.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

8. That all signs shall comply with the sign requirements of the R-2 Zone.

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

12. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans and dedications shall be made prior to occupancy of the premises as required by the Director of Public Works, or by March 1, 1981, whichever occurs first.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (209):

That the entire construction program be accomplished in one phase with construction to commence on or before July 1, 1981; completion to be not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (209) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-67

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JIM CORN)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No. 1803 -C.S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Medium Low Density Residential Zone, R-2, to Planned Development Zone, P-D(209), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Medium Low Density Residential Zone, R-2, to Planned Development Zone, P-D(209).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-68

A RESOLUTION DENYING THE APPEAL FILED BY GORDON BERG FOR AN AMENDMENT TO SECTION 13-3-8 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 13-3-8 of the Zoning Map was filed by Gordon Berg on November 15, 1978, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the south side of W. Rumble Road between Conant Avenue and Lou Ann Drive, described as follows:

> All that portion of the Northwest quarter of Section 13, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:
>
> Beginning at a point on the South side of Rumble Road that is South 88° 52' West, 786 feet from the quarter section corner common to Sections 12 and 13, above Township and Range; thence South 88° 52' West, along the South side of said road, a distance of 66 feet to a point; thence South 0° 47' East, a distance of 330 feet to a point; thence North 88° 52' East, a distance of 66 feet to a point; thence North 0° 47' West, a distance of 330 feet to the point of commencement.
>
> Including also the southerly 20 feet of Rumble Road immediately adjacent to the above described property,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of December 12, 1978, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 78-245, denied

the requested amendment to Section 13-3-8 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property described above located on the south side of W. Rumble Road between Conant Avenue and Lou Ann Drive for the following reason:

> Higher density zoning along W. Rumble Road in the interior of a neighborhood is not warranted without the more comprehensive site and access review afforded with Planned Development zoning,

and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by Gordon Berg by letter dated December 13, 1978, to the decision of the Planning Commission denying his application to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property hereinabove described, located on the south side of W. Rumble Road between Conant Avenue and Lou Ann Drive, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on Tuesday, January 23, 1979, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Gordon Berg to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the above described property located on the south side of W. Rumble Road between Conant Avenue and Lou Ann Drive should be denied for the reason set forth in Planning Commission Resolution No. 78-245, and quoted above, and that the desicion of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Gordon Berg to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 78-245 denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the above described property, located on the south side of W. Rumble Road between Conant Avenue and Lou Ann Drive, be denied, for the reason set forth in Planning Commission Resolution No. 78-245, and quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Clerk

APPROVED AS TO DESCRIPTION: William Nichols
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-69

A RESOLUTION GRANTING THE APPEAL OF JOHN TATOYAN TO THE DECISION OF THE PLANNING COMMISSION DENYING A REQUEST FOR A REVISED PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(172), OVERRULING THE DECISION OF THE PLANNING COMMISSION AND AMENDING RESOLUTION NO. 77-1076.

WHEREAS, on October 17, 1977, the City Council, by Ordinance No. 1656-C.S. and Resolution No. 77-1076, approved Planned-Development Zone, P-D (172), for multiple family residential, C-1 commercial uses and offices, and

WHEREAS, on November 7, 1978, John Tatoyan submitted a revised plan for said Planned-Development Zone, P-D (172), to allow a C-2 commercial use (tire and automotive service store), and

WHEREAS, said application for a revised plan was set for a public hearing before the Planning Commission at its meeting of December 12, 1978, and continued to December 19, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which continued hearing evidence both oral and documentary was received and considered, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 78-249 determining that the application of John Tatoyan for a revised plan for Planned-Development Zone, P-D (172) should be denied for the following reason:

1. C-2 commercial uses are an inappropriate use in a neighborhood commercial area due to their "heavier" nature and community-wide draw, and

WHEREAS, an appeal to the decision of the Planning Commission was filed by John Tatoyan with the City Council of the City of Modesto by a letter dated December 20, 1978, and

WHEREAS, a public hearing was held on January 23, 1979, by the Council of the City of Modesto, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider said appeal of John Tatoyan to the Planning Commission's denial of said application for a revised plan for Planned-Development Zone, P-D (172), and

WHEREAS, the Council, after hearing and considering evidence both oral and documentary, finds and determines that the appeal of John Tatoyan to the decision of the Planning Commission for a revised plan for Planned-Development Zone, P-D (172) should be granted, and that Section 2 of Ordinance No. 1656-C.S. should be amended to allow a revised plan which would permit a tire store/automobile service center in Planned-Development Zone, P-D (172) for the following reasons:

1. The commercial portion of P-D (172) is designed to serve the need of small independent businessmen. The subject application fully meets this objective.

2. The proposed tire store/automobile service center is a compatible use at this location,

and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed revised plot plan for Planned-Development Zone, P-D (172),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by John Tatoyan to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 78-249 denying his request for a revised plan for Planned-Development Zone, P-D (172), be granted, and that the decision of the Planning Commission denying the requested revised plan is hereby overruled, for the reasons set forth above.

BE IT FURTHER RESOLVED by the Council that Section 1 entitled "Development Plan" of Resolution No. 77-1076 entitled "A Resolution Approving A Development Plan for Planned-Development Zone, P-D (172). (Rule Development)" is hereby amended to revise Condition No. 20 of Subsection C. thereof, to read as follows:

> "20. That only those uses specifically permitted in the Neighborhood Commercial (C-1) Zone and one tire store/automobile service center shall be permitted to locate within this area of the P-D Zone."

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned-Development Zone, P-D (172) to allow a tire store/automobile service center.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliot, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-70

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MARION L. AND HELEN M. RAMPLEY)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No. 1805 -C.S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-71

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL SERVICES)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No. 1806 -C.S. giving approval to a project relating to an amendment to Section Map 20-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 20-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of _____ January, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-72

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (211).

WHEREAS, a verified application for an amendment to Sections 10-3-9 and 15-3-9 of the Zoning Map was filed by H. Naraghi Farms on November 21, 1978, to reclassify from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned Development Zone, P-D (211) the following described property:

R-1 to P-D (211)

All that certain real property situate in a portion of the Southeast quarter of Section 10, and the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

BEGINNING at the East quarter corner of said Section 10, said point being the centerline intersection of Sylvan Avenue with Oakdale Road; thence South 1° 06' East, 2,647.23 feet along the East line of said Section 10, and said centerline of Oakdale Road to the Section corner common to Sections 10, 11, 14, and 15; thence South 0° 55' 30" East, 1,322.15 feet, along the

East line of said Section 15, and said centerline of Oakdale Road to the Northeast corner of the Southeast quarter of the Northeast quarter of said Section 15, and the centerline of Floyd Avenue; thence South 89° 38' 35" West, 987.12 feet along the North line of said Southeast quarter of the Northeast quarter of said Section 15, and the centerline of said Floyd Avenue to the Southeast corner of P-D(153), as described in Ordinance 1584-C.S. of the City of Modesto; thence along the boundary of said P-D(153) the following (2) courses: 1) North 0° 57' 25" West,130.01 feet; 2) South 89° 38' 35" West, 379.73 feet to the Southeast corner of Lot 9, Block 12751 of PERSIAN TERRACE NO. 2, as filed June 28, 1977, in Volume 26 of Maps, at Page 91, Stanislaus County Records; thence along the boundary of said PERSIAN TERRACE NO. 2, the following (5) courses: 1) North 0° 23' 10" West, 151.12 feet; 2) South 89° 36' 50" West, 275.39 feet; 3) North 0° 57' 25" West, 872.32 feet; 4) South 89° 36' 50" West, 32.84 feet; 5) North 0° 23' 10" West, 130.00 feet to the centerline of Rumble Road; thence in a Westerly direction along the centerline of Rumble Road the following (4) courses: 1) South 89° 36' 50" West, 546.30 feet to the beginning of a curve concave to the North having a radius of 1,180.00 feet; 2) thence 224.30 feet along said curve, through a central angle of 10° 53' 27" to a point of reverse curve, concave to the South having a radius of 930.00 feet; 3) thence 176.78 feet along said curve, through a central angle of 10° 53' 27" to a point on the North line of said Section 15; 4) thence South 89° 36' 50" West 8.26 feet along said North line of Section 15 to the Southeast corner of COFFEE TERRACE NO. 2, as filed June 24, 1970, in Volume 22 of Maps, at Page 53, Stanislaus County Records; thence North 0° 53' 20" West, 1,319.85 feet along the East line of said COFFEE TERRACE NO. 2, and the East line of COFFEE VILLA, as filed March 6, 1972, in Volume 24 of Maps, at Page 27, Stanislaus County Records, and the East line of COFFEE VILLAGE NO. 2, as filed July 26, 1960, in Volume 19 of Maps, at Page 44, Stanislaus County Records, to the Southwest corner of SYLVAN VILLAGE NO. 2 as recorded October 13, 1965, in Volume 21 of Maps, at Page 26, Stanislaus County Records; thence North 89° 31' East, 1,309.58 feet along the South line of said SYLVAN VILLAGE NO. 2 to the Southeast corner thereof; thence North 0° 58' 50" West, 1,320.95 feet along the East line of said SYLVAN VILLAGE NO. 2 and the East line of SYLVAN VILLAGE NO. 1, as recorded July 12, 1961, in Volume 19 of Maps, at Page 76, Stanislaus County Records and the Northerly prolongation of said East line of SYLVAN VILLAGE NO. 1 to the East-West quarter Section line of said Section 10, and said centerline of SYLVAN AVENUE: thence North 89° 26' East, 1,308.50 feet along said East-West quarter line, and said centerline of Sylvan Avenue, to the POINT OF BEGINNING.

Containing 167.04 Acres more or less

Portion of P-D(153) to P-D(211)

All that certain real property situate in the Northeast quarter of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus State of California, described as follows:

Commencing at the Southwest corner of the North half of said Northeast Quarter of Section 15, said corner being the intersection of the centerlines of Rose Avenue and Floyd Avenue; thence North 0°57'25" West along the West line of said Northeast Quarter of Section 15 and the centerline of Rose Avenue a distance of 130.01 feet; thence North 89°38'35" East parallel with and 130.00 feet from said centerline of Floyd Avenue, a distance of 1233.27 feet to the point of beginning of this description; thence continuing North 89°38'35" East 404.73 feet; thence South 0°57'25" East 130.01 feet; thence South 89°38'35" West along the South line of said North half of the Northeast quarter of Section 15 and said centerline of Floyd Avenue, a distance of 406.09 feet; thence North 0°21'25" West 130.00 feet to the point of beginning.

Containing 1.21 Acres

WHEREAS, after public hearing held on December 19, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

a. The proposed P-D is in conformance with the Coffee-Sylvan Neighborhood Zoning and Development Plan.

b. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments, and internal compatibility between the different uses proposed in the P-D Zone.

WHEREAS, after a public hearing held on January 23, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of H. Naraghi Farms for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1807-C.S. on the 23rd day of January, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned-Development Zone, P-D(211).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (211), is hereby approved in accordance with the plan titled "Naraghi Property - Modesto, California", as amended in red on its face, stamped approved by the Planning Commission on December 19, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

a. That all development be in accordance with the plan referred to above.

b. That prior to the issuance of a building permit or the subdivision of land within any phase of development, the applicant shall submit detailed plot plans for that phase in accordance with Section 10-2.2708 of the Modesto Municipal Code for review by the Planning Commission. Standard and special conditions normally part of P-D approval will be attached to the various plans for each phase.

c. That prior to the issuance of a building permit or the subdivision of land within the P-D Zone, evidence shall be submitted in a form satisfactory to the City Attorney that a Homeowners' Association has been created to guarantee common open space improvement and maintenance, including the two park areas, all lake or water course areas, and all common landscaping areas.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (211) ____;

PHASE I: R-1 (Single-family residential standard lots, lake and drainage facilities) to commence on or before March 1, 1980 and to be completed by March 1, 1983.

PHASE II: Apartment at Floyd Avenue and Oakdale Road to commence on or before March 1, 1980 and to be completed by March 1, 1983.

PHASE III: Cluster Housing to commence on or before March 1, 1980 and to be completed by March 1, 1983.

PHASE IV: Professional offices, restaurant, bank, park and apartments at Sylvan Avenue and Oakdale Road to commence on or before March 1, 1980 and to be completed by March 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (211) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Nathan Smith
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-73

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 10-3-9 and 15-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (H. NARAGHI FARMS)

WHEREAS, on January 23, 1979, the City Council adopted Ordinance No. 1807 - C. S. giving approval to a project relating to an amendment to Section Maps 10-3-9 and 15-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned Development Zone, P-D(211), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 10-3-9 and 15-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(153) to Planned Development Zone, P-D(211).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-74

A RESOLUTION INITIATING AN AMENDMENT TO PLANNED-DEVELOPMENT ZONE, P-D (45) (MODESTO SWIM AND RACQUET CLUB), AND REFERRING SAID PROPOSED AMENDMENT TO THE PLANNING COMMISSION FOR CONSIDERATION AND RECOMMENDATION. (COUNCIL INITIATED)

BE IT RESOLVED by the Council of the City of Modesto that proceedings are hereby initiated to amend Planned-Development Zone, P-D(45), to eliminate item 7 of the list of permitted uses in P-D (45) and to add new conditions 9, 10 and 11 to the approved development plan for P-D (45), said conditions to read as follows:

"9. Use of Facilities. All of the facilities in P-D (45) may be used for social, recreational, athletic or educational classes, instruction, tournaments, or other related activities by the Modesto Racquet Club and any other private club or group or individual, subject to the following limitations:

a. Fund raising events shall be limited to nonprofit organizations.

b. No dances or dance band concerts that are open to the general public or that are advertised by any news media shall be permitted. Said dances and concerts shall be limited to Modesto Racquet Club members and invited guests; private club or group members and invited guests; or an individual and invited guests.

10. Hours of Operation. All activities at the Modesto Racquet Club, excepting maintenance and cleanup activities by or under the direct control of the Modesto Racquet Club, shall observe the following hours of operation:

a. All activity terminated by 11 p.m., parking lot cleared by 11:30 p.m.; Sunday through Thursday evenings.

b. All activity terminated by midnight, parking lot cleared by 12:30 a.m.; Friday and Saturday evenings.

c. Exception to above -- all activity terminated by 1 a.m., parking lot cleared by 1:30 a.m.; New Years Eve.

11. Monitoring of Hours of Operation. An employee under direct control of the Modesto Racquet Club shall monitor as follows every event with activities later than 9 p.m. to insure that all conditions and restrictions applicable to the event are being met:

a. Event with Music - An employee shall be present from 9 p.m. until all activities are terminated, including the clearing of the parking lot.

b. Event with no Music - An employee shall be present from one hour before scheduled close of activities to time when activities are terminated, including the clearing of the parking lot."

BE IT FURTHER RESOLVED that the proceedings to amend Planned-Development Zone, P-D (45) (Modesto Swim and Racquet Club) are hereby referred to the Planning Commission at its regular meeting of March 19, 1979, at 7:30 o'clock P.M. for a public hearing in the City Council Chambers, City Hall, 801 11th Street, Modesto, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motiong being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-75

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN AMENDMENT TO P-D(166) - LEO MICHAELIDES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 6, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the motel/restaurant portion of P-D(166) located on Sisk Road north of Beckwith-Standiford interchange on Freeway 99.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** January**, 19** 79**, by Councilmember** Dunlap**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-76

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER ADJUSTMENT IN GARBAGE SERVICE CHARGES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 6, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** adjustment in garbage service charges.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** January **, 19**79**, by Councilmember** Dunlap **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-77

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR ONE PARCEL OF LAND PRESENTLY BEING USED BY THE CITY AS A DRAINAGE BASIN - PROPERTY AT ALDER CREEK COURT, PARCEL 1550-1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County for one parcel of land presently being used by the City as a drainage basin, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-78

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR ONE PARCEL OF LAND PRESENTLY BEING USED BY THE CITY AS A DRAINAGE BASIN - PROPERTY AT RIMROCK WAY, PARCEL 1546-1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County for one parcel of land presently being used by the City as a drainage basin, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-79

A RESOLUTION APPROVING THE FINAL MAP OF THE SHERWOOD GARDENS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Contek Associates, a limited partnership, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.256 acres, known as the Sherwood Gardens Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 15th of August, 1978, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sherwood Gardens Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motion

being duly seconded by Councilmember Siefkin, was upon roll carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-80

A RESOLUTION AMENDING THE CITY OF MODESTO 1978-79 FINAL BUDGET TO IMPLEMENT A BUDGET FOR AND TRANSFER FUNDS TO THE McHENRY MANSION RESTORATION FUND (FUND 335)

WHEREAS, a separate Capital Project Fund designated as the McHenry Mansion Restoration Fund (Fund 335) has been established to account for all fiscal activity relating to capital improvements made to the McHenry Mansion, and

WHEREAS, the City of Modesto desires to transfer $150,000 into said McHenry Mansion Restoration Fund to provide funding for capital improvements to the McHenry Mansion, and

WHEREAS, there is $150,000 available for this purpose in the following two funds: $99,000 from the Special Fund for Capital Outlay (Fund 321), and $51,000 from the Special Revenue Sharing Trust Fund (Fund 611),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City of Modesto 1978-79 Final Budget be amended as follows:

Fund 335 McHenry Mansion Restoration Fund		
Estimated Revenue		
Account 941.00	Interfund Transfers In	$150,000
Appropriations		
Account 6276.00	McHenry Mansion Restoration	$ 99,000
Account 8276.00	McHenry Mansion Restoration	51,000
Fund 321 Special Fund for Capital Outlay		
Estimated Revenue		
Account 941.00	Interfund Transfers In	$(51,000)
Appropriations		
Account 940.00	Interfund Transfers Out	99,000
Account 8313.00	Fairway Neighborhood Park Land Acquisition	(45,000)
Account 8926.00	McHenry Mansion - Paint Exterior	(6,000)

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to implement the provisions of this resolution.

BE IT FURTHER RESOLVED that the provisions of this resolution shall be effective upon the effective date of Ordinance 1808 -C. S., which ordinance creates the McHenry Mansion Restoration Fund.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-81

A RESOLUTION APPROVING THE FINAL MAP OF THE CHILOQUIN VILLAS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Lawson L. Martin and Shirley A. Martin, husband and wife, and Kenneth L. Graham and Sandra Joyce Graham, husband and wife

~~is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of .886 acres, known as the Chiloquin Villas Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of October, 19 78, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Chiloquin Villas Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-82

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL FUND RESERVE TO POLICE DEPARTMENT TO COVER COSTS OF EXTRADITING PRISONERS FROM OUT OF STATE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Fund Reserve (60 800 101)	$2,500
TO:	Police (208 220 101)	$2,500

The amount of money budgeted for extradition of prisoners from out of state has been depleted. Additional extraditions are anticipated during the balance of this fiscal year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of January, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-83

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, JOSEPH RODGER CLIFFORD MARKS, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, Joseph Rodger Clifford Marks, against the City of Modesto was received on January 29, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Joseph Rodger Clifford Marks, against the City of Modesto, received on January 29, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-84

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SONOMA PARK LANDSCAPING AND IRRIGATION SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Sonoma Park landscaping and irrigation system **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 27, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** February, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-85

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF MELLIS PARK BASKETBALL COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Mellis Park basketball court copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 20, 1979, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-86

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TWO TRACTOR MOWERS AND FOURTEEN GANG MOWERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of two tractor mowers and fourteen gang mowers copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 27, 1979, at 2:15 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-87

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MILLING WORK FOR EXTERIOR RESTORATION OF McHENRY MANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for milling work for exterior restoration of McHenry Mansion **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 20, 1979, at 11:05 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** February, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-88

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE COMPANY, INC. FOR CONSTRUCTION OF SUBTRUNK SEWER EXTENSION IN EAST ORANGEBURG FROM GLENBROOK TO PROSPECT

WHEREAS, Resolution No. 79-17 , adopted by the Council of the City of Modesto on January 9, 1979 , approved the plans and specifications for the construction of subtrunk sewer extension in East Orangeburg from Glenbrook to Prospect

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of subtrunk sewer extension in East Orangeburg from Glenbrook to Prospect

were opened at 11:05 a.m., January 30, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Western Pipeline Company, Inc. in the amount of $86,334.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Pipeline Co., Inc. in the amount of $86,334.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February,

19 79 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: _____
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-89

A RESOLUTION ACCEPTING THE BID OF MODESTO SAND & GRAVEL, INC. FOR THE REMOVAL OF OBSTRUCTIONS IN AIRPORT CLEAR ZONE ON RIVER ROAD - PARCELS D-1, D-2, AND D-3. FAA-ADAP #8-06-0153-02

WHEREAS, Resolution No. 79-16 **, adopted by the Council of the City of Modesto on** January 9, 1979 **, approved the plans and specifications for the** removal of obstructions in the airport clear zone on River Road - Parcels D-1, D-2, and D-3 **and authorized the calling for bids, and**

WHEREAS, the bids received for the removal of obstructions in the airport clear zone on River Road - Parcels D-1, D-2, and D-3 **were opened at** 11:00 a.m. on January 30, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Modesto Sand & Gravel, Inc. in the amount of $11,800.00 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Sand & Gravel, Inc. in the amount of $11,800.00 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** February **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-90

A RESOLUTION ACCEPTING THE MODIFICATION OF TRAFFIC SIGNALS ON BRIGGSMORE AT COLLEGE AND TULLY AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic that the modification of traffic signals on Briggsmore at College Avenue and Tully Road has been completed by Ferrero Electric, Inc.

in accordance with the contract agreement dated May 1, 1978.

NOW, THEREFORE, BE IT RESOLVED that the modification of traffic signals on Briggsmore at College and Tully be accepted from said contractor, Ferrero Electric, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $15,282 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-91

A RESOLUTION ACCEPTING THE INSTALLATION OF PLAYGROUND EQUIPMENT AT REVARD PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the installation of playground equipment at Revard Park has been completed by Biben's Nursery

in accordance with the contract agreement dated May 15, 1978.

NOW, THEREFORE, BE IT RESOLVED that the installation of playground equipment at Revard Park be accepted from said contractor, Biben's Nursery;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $28,347.10 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-92

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR SEVEN TRUCK LIFT GATES, AND OPENED IN THE OFFICE OF THE CITY CLERK ON JANUARY 16, 1979, AT 2:00 P.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 78-1276, adopted by the Council of the City of Modesto on December 18, 1978, approved the plans and specifications for furnishing seven truck liftgates and authorized the call for bids; and

WHEREAS, the bids received for furnishing seven truck lift gates were opened at 2:00 p.m. on January 16, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, both firms bidding, Lakeside Truck Body Company with a bid of $5,869.22, and Denair Manufacturing Inc. with a bid of $4,797.24, failed to correctly interpret and meet City specifications; and

WHEREAS, the Director of Finance recommends that all bids be rejected and that revised plans and specifications and call for bids be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing seven truck liftgates, and opened in the office of the City Clerk on January 16, 1979, at 2:00 p.m., are hereby rejected.

BE IT FURTHER RESOLVED that a new call for bids for furnishing seven truck liftgates to be opened February 27, 1979, at 2:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang , who moved its adoption, which motion

being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Davies

ATTEST: _____
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-93

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION ON BLUE BIRD AVENUE AND PELANDALE AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension on Blue Bird Avenue and Pelandale Avenue has been completed by Joe Martin

in accordance with the contract agreement dated October 9, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension on Blue Bird Avenue and Pelandale Avenue be accepted from said contractor, Joe Martin;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $31,504.40 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-94

A RESOLUTION ADOPTING A REVISED SCHEDULE OF RATES AND CHARGES FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Section 5-5.32 of the Modesto Municipal Code provides that charges to customers for garbage service in the City of Modesto shall be set by the City Council by resolution and may be revised from time to time after holding a public hearing thereon, and

WHEREAS, the City Council has previously, by Resolution No. 77-1282, adopted a schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, the City staff has recommended to the City Council a revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, by Resolution No. 79-76 adopted on January 23, 1979, February 6, 1979, at 7:45 p.m. was set as the time and place for consideration of said recommended revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, a public hearing was held at said time and place, and evidence, both oral and documentary, was received and considered, and

WHEREAS, it was found and determined by the Council of the City of Modesto that the schedule of rates and charges to be charged for the collection of garbage in the City of Modesto should be revised,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised schedule of rates and charges for garbage service to be charged by all licensed collectors of garbage in the City of Modesto from February 1, 1979, until revised by the City Council:

No. of Containers	Number of collections per week					
	1	2	3	4	5	6
1.	2.40	4.80	7.20	9.60	12.00	14.40
2.	3.60	7.20	10.80	14.40	18.00	21.60
3.	4.80	9.60	14.40	19.20	24.00	28.80
4.	6.00	12.00	18.00	24.00	30.00	36.00
5.	7.20	14.40	21.60	28.80	36.00	43.20
6.	8.40	16.80	25.20	33.60	42.00	50.40

The standard container rates shall apply for service when containers are placed in a location as set forth in Section 5-5.10 Container Locations (a.1) (a.2). If it is necessary for the collector to enter a fenced yard and/or go more than fifty (50) feet from the property line but less than one hundred (100) feet from the property line to reach a container, there shall be added to the regular monthly collection charge an additional charge of fifty (50) cents per month. When containers are located at a distance greater than one hundred (100) feet from the property line or there are three or more containers within a fenced yard or more than fifty (50) feet from the property line which requires additional trips by the garbage collector, this shall be handled as a Special Service Condition for which the rates are to be established by negotiation.

DETACHABLE CONTAINERS

Container Size	Number of collections per week					
	1	2	3	4	5	6
1 CY	5.95	11.90	17.85	23.80	29.75	35.70
1½ CY	8.90	17.80	26.70	35.60	44.50	53.40
2 CY	11.90	23.80	35.70	47.60	59.50	71.40
3 CY	17.85	35.70	53.55	71.40	89.25	107.10
4 CY	23.80	47.60	71.40	95.20	119.00	142.80

DETACHABLE CONTAINER RENTAL RATES NOT INCLUDED IN ABOVE SCHEDULE

Detachable container size	1 CY	1½ CY	2 CY	3 CY	4 CY
Monthly rental rate	5.70	6.00	6.30	6.85	7.40

DROP-BOX CONTAINERS

Pickup charge	36.25 /	Pickup
Rental	1.30 /	Day with $25.00 maximum for each 30-day rental period
Disposal charge		Actual charge

Garbage company will provide up to 40 CY Drop-box containers for above stated charges subject only to load limit of transfer vehicle.

EXTRA PICKUPS

Standard containers or equivalent	$2.30	plus	$0.30 / container
Detachable containers	$5.70	plus	$0.85 / CY

SPECIAL SERVICE CONDITIONS

In situations where none of the above rates reasonably apply, the cost of service is to be negotiated between the garbage company and the customer.

DETACHABLE CONTAINER ONLY REPLACEMENT AND CLEANING SERVICE

1 CY	2 CY	3 CY	4 CY
5.70	6.85	9.15	11.45

NOTATIONS

1. Where the landlord pays for all cans in one location, it shall be regarded as one service. Each location in which cans are placed for collection must be regarded as a separate service.
2. Where tenant pays for can collection, regardless of location, it shall be regarded as one service.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-95

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 79-72 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(211)."

WHEREAS, the City Council, by Ordinance No. 1807-C. S. which was introduced on January 23, 1979, finally adopted on February 6, 1979, and which will become effective on March 8, 1979, amended Sections 10-3-9 and 15-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(125) to a new Planned Development Zone, P-D(211), property located on the west side of Oakdale Road between Sylvan Avenue and Floyd Avenue in the City of Modesto to allow single family residential, cluster housing, apartments, professional offices, a bank, restaurant, lake and private parks, and

WHEREAS, City Council Resolution No. 79-72 was adopted on January 23, 1979, and approved the development plan for P-D(211) and contained the conditions of approval thereof, and

WHEREAS, at its meeting on February 6, 1979, the City Council, upon consideration of the final adoption of Ordinance No. 1807-C. S., found and determined, upon recommendation of the Planning Department, that Section 1 of Resolution No. 79-72 entitled "A Resolution Approving A Development Plan For Planned Development Zone, P-D(211)" should be amended to add an additional condition thereto relating to the requirement of right-of-way dedication, which condition shall read as hereinafter set forth,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 79-72 entitled "A Resolution Approving A Development Plan For Planned Development Zone, P-D(211)" is hereby amended to add condition number d. thereto to read as follows:

> "d. That upon demand by the city, the developer shall dedicate additional right-of-way to complete Oakdale Road and

Sylvan Avenue to a major street standard and Floyd Avenue to a collector street standard in accordance with the requirements of the Director of Public Works."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-96

A RESOLUTION APPROVING A REVISED PROGRAM RELATING TO PARTICIPATION IN THE FEDERAL ALD URBAN-D PROGRAM AND GRANTING THE STANISLAUS COUNTY URBAN SYSTEM TECHNICAL ADVISORY COMMITTEE AUTHORITY TO ADJUST THE PROJECT FUNDING WITHIN SAID PROGRAM.

WHEREAS, by Resolution No. 74-678 adopted on August 12, 1974, the City Council approved the procedure and criteria necessary to participate in the Federal Aid Urban-D Program, and

WHEREAS, the Stanislaus County Board of Supervisors has established the Stanislaus County Urban System Technical Advisory Committee, and

WHEREAS, a revised program entitled "Stanislaus Federal Aid Urban-D Program Modesto-Ceres Urban Area" dated January 3, 1979, has been recommended by the said Stanislaus County Urban System Technical Advisory Committee, and

WHEREAS, the City Council desires to approve the revised program recommended by the Stanislaus County Urban System Technical Advisory Committee and the Council also wishes to grant to said Stanislaus County Urban System Technical Advisory Committee authority to adjust, if necessary, the project funding for the revised program,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the revised program for the Federal Aid Urban-D Program recommended by the Stanislaus County Urban System Technical Advisory Committee entitled "Stanislaus Federal Aid Urban-D Program Modesto-Ceres Urban Area" dated January 3, 1979.

BE IT FURTHER RESOLVED by the Council that it hereby grants said Stanislaus County Urban System Technical Advisory Committee authority to adjust, if necessary, the project funding for the revised program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-97

A RESOLUTION ACCEPTING IMPROVEMENTS IN WESTRIDGE NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Paul M. and Liberty Zagaris, subdividers of Westridge No. 2 Subdivision, have filed subdivision Bonds for faithful performance and labor and materials in the amount of $196,500 and $98,250 respectively to guarantee improvements in Westridge No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated January 26, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Westridge No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $196,500 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $98,250 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-98

A RESOLUTION ACCEPTING IMPROVEMENTS IN WESTRIDGE NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Paul M. and Liberty Zagaris, subdividers of Westridge No. 3 Subdivision, have filed subdivision Bonds for faithful performance and labor and materials in the amount of $109,800 and $54,900 respectively to guarantee improvements in Westridge No. 3 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated January 26, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Westridge No. 3 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $109,800 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $54,900 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-99

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ARNOLD C. DICKENS, HELEN J. DICKENS AND MODESTO IRRIGATION DISTRICT FOR WATER AND SEWER SERVICE FOR PROPERTY OUTSIDE CITY LIMITS AT 533 LINCOLN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Arnold C. Dickens, Helen J. Dickens and Modesto Irrigation District for water and sewer service for property outside City limits at 533 Lincoln Avenue be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-100

A RESOLUTION AND ORDER OF THE COUNCIL OF THE CITY OF MODESTO PROVIDING FOR A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 6, 1979, AND DESIGNATING PRECINCTS AND POLLING PLACES AND APPOINTING ELECTION OFFICERS FOR SAID GENERAL MUNICIPAL ELECTION.

BE IT RESOLVED by the Council of the City of Modesto as follows:

(1) Pursuant to the Charter of the City of Modesto, a general municipal election shall be held on Tuesday, March 6, 1979, in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County for the election of the following officers:

(a) Mayor for a full term of four (4) years.

(b) One (1) Councilmember (Chair No. 1) for a full term of four (4) years.

(c) One (1) Councilmember (Chair No. 3) for a full term of four (4) years.

(d) One (1) Councilmember (Chair No. 6) for a full term of four (4) years.

(e) Three (3) members of the Board of Education for the full term of four (4) years each.

(2) The duties of the election officers appointed hereby in the conduct of said election shall be the same as the duties prescribed by the Elections Code of the State of California for officers of general elections. If the officers appointed hereby do not attend at the opening of the polls on the morning of the election, the electors of the precinct who are present at the time may appoint a Board of Election or supply the place of any absent member thereof.

(3) Said election shall be held in all respects in conformity with the general election laws of the State of California insofar as the same may be applicable to and in conformity with the Charter of the City of Modesto. The polls at the polling places hereinafter designated shall be kept open continuously from 7:00 o'clock A.M. until 8:00 o'clock P.M. of said day of election, when the polls shall be closed (except as provided in Section 14436 of the Elections Code), and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(4) The returns of the election shall be made out and signed by the election officers and shall be by them deposited with the City Clerk, together with the ballots cast at the election; and the City Clerk is hereby ordered to and shall canvass said returns at the office of the Stanislaus County Clerk at County Center No. 3 located at Scenic Drive and Old Oakdale Road, Modesto, California, pursuant to the Elections Code of the State of California, Section 22932.5. Upon completion of the canvass, the City Clerk shall certify the results of the election to the Council and the Council shall meet at its usual meeting place and confirm said canvass by the City Clerk on Tuesday, March 13, 1979, at the hour of 7:00 o'clock P.M. and declare the results of the election.

(5) For the purpose of holding said election, the said City of Modesto and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County lying within the corporate limits of the City of Modesto, and those portions of the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, which lie outside of the corporate limits of the City of Modesto, shall be and the same are hereby precincted and established into Eighty-Three (83) voting precincts consisting of consolidations of the regular election precincts in the City of Modesto and the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County established for the holding of State and county elections; that the county election precincts

be consolidated as shown on Exhibit "A" attached hereto and made a part hereof; that the polling places for the respective precincts shall be the places designated on Exhibit "A"; and that the persons named in Exhibit "A" have been appointed officers of election for their respective voting precincts.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SPECIAL 43001 WESLEY UNITED METHODIST CHURCH
M 1-74 300 TRASK LANE
MODESTO, CALIF

DURAN, MRS SHERRI G. DEM
2423 MILLER, MODESTO M 74
PHONE 524-3979 95351

McDONALD, MRS LETHA M. DEM
221 COLFAX, MODESTO M 74
PHONE 522-4020 95351

BAHR, MRS ANNA M. DEM
2200 ADA, MODESTO M 1
PHONE 522-7538 95351

CHESTER, MRS BERTHA L. DEM
2220 ADA, MODESTO EMP1
PHONE 524-2984 95351

SPECIAL 43002 PAUL ORTIZ, RES
M 2 2229 McRITCHIE WY
MODESTO, CALIF

ORTIZ, MRS CAROL A. REP
2229 McRITCHIE WY, MODESTO M 2
PHONE 521-5595 95355

PARKER, MRS CAROLE L. REP
2325 McRITCHIE WY, MODESTO M 2
PHONE 577-0586 95355

DOOLEY, MRS LOIS L. REP
2331 SURREY, MODESTO M 2
PHONE 529-8225 95355

MOTLEY, MRS CAROL I. REP
912 MOWNEY CT, MODESTO M 2
PHONE 524-3042 95355

SPECIAL 43003 ST PAUL'S EPISCOPAL
M 101 CHURCH-1528 OAKDALE
MODESTO, CALIF

DUNN, MRS BARBARA REP
1224 BLUE DAISY WY, MODESTO M 2
PHONE 526-0467 95355

TARONE, MRS ELLEN S. REP
2701 E ORANGEBURG, MODESTO M 101
PHONE 523-0156 95355

SMITH, MRS BETTY J. DEM
1800 CARDIGAN WY, MODESTO M 52
PHONE 529-6442 95355

OWEN, MRS JUDITH A. DEM
925 McGUIRE DR, MODESTO M 2
PHONE 529-1479 95355

SPECIAL 43004 FIRE HOUSE
M 3-24-25 416 DOWNEY
MODESTO, CALIF

ORVIS, MRS EILEEN DEM
140 LOMA VISTA, MODESTO M 24
PHONE 522-4878 95351

MARTEL, MRS ALICE L. REP
209 STATE, MODESTO M 24
PHONE 523-2521 95351

HANSON, MRS RUTH P. DEM
507½ 13TH, MODESTO M 25
PHONE 523-3058 95354

HAUSCHILDT, MRS HENRIETTA DEM
1219 E ST, MODESTO M 25
PHONE 522-9149 95354

Exhibit "A"

SPECIAL 43005 J. MARSHALL SCHOOL
M 4-63 HALL WAY
515 SUTTER
MODESTO, CALIF

CARRANAY MRS DOROTHY V. DEM
614 PLACID LANE, MODESTO M 4
PHONE 522-3544 95351

ROBERTS, MRS CARYL V. DEM
433 ROSEDALE, MODESTO M 4
PHONE 523-0697 95351

MARLETT, MRS VERA N. REP
1630 VICTOR WY, MODESTO M 63
PHONE 523-7683 95351

WERRELL, MRS RUTH E. DEM
1605 KAZMIR CT, MODESTO M 4
PHONE 522-6766 95351

SPECIAL 43006 MANCINI HALL
M 5 716 TUOLUMNE BLVD
MODESTO, CALIF

ISOLA, MRS LOLA A. REP
605 TUOLUMNE, MODESTO M 5
PHONE 523-4614 95351

CLAY, MRS MARY E. DEM
225 SUNSET, MODESTO M 5
PHONE 522-5052 95351

DUERFELDT, MRS EDNA B. REP
221 MADERA, MODESTO M 5
PHONE 523-1274 95351

RHYNO, MRS ANGELINA E. DEM
1039 PARADISE, MODESTO PA 7
PHONE 523-5429 95351

SPECIAL 43007 WASHINGTON SCHOOL
M 6-7 HALL-705 S WASHINGTON
MODESTO, CALIF

STARR, MRS ANNA L. DEM
304 MAZE BLVD, MODESTO M 6
PHONE 523-0921 95351

ARTERBRIDGE, MRS JUANITA DEM
119 PINE, MODESTO M 6
PHONE 522-2489 95351

BRISENO, MRS IRENE DEM
814 1ST, MODESTO M 7
PHONE 526-3978 95351

MILLER, MRS RESA L. REP
706 4TH, MODESTO M 7
PHONE 523-6648 95351

SPECIAL 43008 FRANKLIN SCHOOL-LIB
M 8 120 S EMERALD
MODESTO, CALIF

SCATENA, MRS MARIE B. DEM
327 LEON, MODESTO M 5
PHONE 522-7596 95351

DENNY, MRS HELEN C. DEM
1005 E RUMBLE, MODESTO M 47
PHONE 524-0489 95350

MORRIS, MRS JUNE V. DEM
1107 ALAMEDA, MODESTO M 8
PHONE 523-8959 95351

ARCHIBEQUE, MRS MADELINE DEM
533 CUSTER CT, MODESTO M 8
PHONE 529-3728 95351

SPECIAL 43009 NASCO WEST INC
M 9-89-92 1524 PRINCETON
MODESTO, CALIF

ROBBINS, GERALD R. DEM
300 GREENWICH LN, MODESTO COF5
PHONE 526-5164 95350

HARRELL, MRS DOLORES V. DEM
1508 DEL MONTE, MODESTO M 9
PHONE 523-8770 95350

PETERSON, MRS HELEN R. DEM
1509 DEL MONTE, MODESTO M 9
PHONE 523-9571 95350

JACKSON, MRS VIRGINIA M. DEM
1525 DEL VISTA, MODESTO M 9
PHONE 522-6354 95350

SPECIAL 43010 MODESTO TELEVISION
M 10 1225 TULLY
MODESTO, CALIF

CAYLOR, MRS WILMA L. DEM
1214 DEL REY, MODESTO M 10
PHONE 523-6711 95350

LYSTRA, MRS LILY M. DEM
1402 MAPLEWOOD, MODESTO M 10
PHONE 523-7138 95350

VAN AALSBURG, MRS ALMA N. REP
1513 MAPLEWOOD, MODESTO M 10
PHONE 522-4525 95350

ARMSTRONG, MRS SOPHIA J. DEM
1401 ASHWOOD DR, MODESTO M 10
PHONE 523-7485 95350

SPECIAL 43011 GARRISON SCHOOL RM 24
M 11-12 1811 TERESA
MODESTO, CALIF

DUARTE, MRS RUBY F. DEM
1736 W ORANGEBURG, MODESTO M 12
PHONE 523-1470 95350

JONES, MRS FLOSSYE M. DEM
1411 CARVER-NO D, MODESTO M 12
PHONE 529-2792 95350

SOLANO, MRS EVELYN D. REP
1328 N 9TH-NO 10, MODESTO M 12
PHONE 529-3706 95354

RIEBE, MRS LEILLA M. DEM
1518 CHERRYWOOD, MODESTO M 11
PHONE 523-8200 95350

BRENDEMUEHL, MRS FARNETTA DEM
1302 PEARL, MODESTO M 11
PHONE 522-0680 95350

SPECIAL 43012 TRINITY UNITED
M 13 PRESBYTERIAN CHURCH
1600 CARVER
MODESTO, CALIF

PISCITELLO, MRS AUDREY M. DEM
1606 SILKWOOD, MODESTO M 13
PHONE 524-9585 95350

GARVEY, MRS THELMA J. REP
1514 NUTWOOD DR, MODESTO M 13
PHONE 523-1588 95350

DILLINGER, MRS JOSEFINE V. DEM
1521 CARVERWOOD DR, MODESTO M 13
PHONE 529-0637 95350

ISLEY, MRS RACHEL REP
1603 SILKWOOD DR, MODESTO M 13
PHONE 523-7976 95350

SPECIAL 43013 EVERETT SCHOOL RM 4
M 14-15 1530 MT VERNON DR
MODESTO, CALIF

SAWYER, MRS BEVERLY DEM
1302 MT VERNON, MODESTO M 14
PHONE 529-3978 95350

BANKS, MRS MARY J. DEM
2205 TULLY, MODESTO M 14
PHONE 523-3453 95350

HOPE, MRS BETTY F. REP
2952 HEMMINGER WY, MODESTO M 15
PHONE 529-8859 95350

SMITH, MRS IDA L. DEM
1418 SCHULENBURG, MODESTO M 15
PHONE 527-2139 95350

SPECIAL 43014 CHURCH OF JESUS
M 19-88 CHRIST OF L.D.S.
731 EL VISTA
MODESTO, CALIF

LAMB, JAMES W. DEM
2053 HADDON, MODESTO M 19
PHONE 522-8441 95351

WARD, MRS TERESA B. DEM
321 FORTUNA, MODESTO M 19
PHONE 524-1707 95351

LAMB, MRS MARIE B. DEM
2053 HADDON, MODESTO M 19
PHONE 522-8441 95351

NIELSEN, MRS ETHEL S. REP
213 OAKSHIRE, MODESTO M 88
PHONE 523-5340 95351

HEYDEN, MRS JENNY C. DEM
2016 HADDON, MODESTO M 88
PHONE 522-5568 95351

SPECIAL 43015 LA LOMA GRACE
M 20-21-65 BRETHREN CHURCH
1315 LA LOMA
MODESTO, CALIF

HAMILTON, MRS HILDA E. REP
413 N SANTA ANA, MODESTO M 21
PHONE 522-7577 95351

RAPER, MRS SANTINA DEM
317 N SANTA ANA, MODESTO M 21
PHONE 523-8832 95351

WELCH, MRS VIOLA F. REP
208 ROWLAND, MODESTO M 21
PHONE 523-7328 95351

BARSE, MRS ELVIRA H. REP
432 CAMELLIA WY, MODESTO M 65
PHONE 523-7406 95351

SPECIAL 43016 WILSON SCHOOL ENTRY
M 22-23 201 WILSON
MODESTO, CALIF

LUCKS, MRS LIVIA M. DEM
211 LAS PALMAS, MODESTO M 22
PHONE 524-0463 95351

PAGE, MRS MADELINE C. DEM
406 N SANTA ROSA, MODESTO M 22
PHONE 527-0989 95351

MITCHELL, MRS DORIS R. DEM
231 BUENA VISTA, MODESTO M 23
PHONE 523-5917 95351

ALEXANDER, MRS GWENDOLYN M. DEM
226 EL RIO, MODESTO M 23
PHONE 522-9388 95351

SPECIAL 43017 M I D BUILDING
M 26 1231 11TH
MODESTO, CALIF

REED, MRS JANET M. REP
543 HUNTER, MODESTO M 28
PHONE 524-0378 95350

UNRUH, MRS FERN I. REP
107 HACKBERRY, MODESTO M 26
PHONE 523-8112 95354

BERTHELSON, MRS ARLEVA DEM
120 COLLEGE, MODESTO M 26
PHONE 522-1894 95350

VANN, MRS MARGARET L. DEM
900 17TH 711, MODESTO M 26
PHONE 527-7348 95354

SPECIAL 43018 BOY SCOUT CLUB HOUSE
M 27 ENSLEN PARK
400 ENSLEN
MODESTO, CALIF

SMITH, MRS DETTE B. REP
415 SYCAMORE, MODESTO M 27
PHONE 522-2940 95354

CASE, ALFRED F. REP
218 ELMWOOD CT, MODESTO M 27
PHONE 522-9484 95354

WIELAND, MRS KATHLEEN DEM
310 MAGNOLIA, MODESTO M 27
PHONE 522-2855 95354

BRENNAN, MRS LYDIA B. DEM
718 WRIGHT, MODESTO M 27
PHONE 523-1067 95354

SPECIAL 43019 JOHN MUIR SCHOOL RM 9
M 28-31 1215 LUCERN
MODESTO, CALIF

COPELAND, MRS EDITH W. DEM
613 CASTLE, MODESTO M 28
PHONE 522-6926 95350

COATES, MRS GEORGIA L. DEM
609 CASTLE, MODESTO M 28
PHONE 522-6723 95350

ADAM, MRS ETHEL REP
705 CASTLE, MODESTO M 28
PHONE 522-7192 95350

HOOPER, MRS DOROTHY E. REP
809 EL VECINO, MODESTO M 31
PHONE 524-3681 95350

THOMPSON, MRS ALMA L. DEM
618 ASHBY, MODESTO M 31
PHONE 523-2872 95350

SPECIAL 43020 MODESTO COMMUNITY
M 29-32 SERVICE CENTER
800 E MORRIS
MODESTO, CALIF

OBERT, MRS FLORENCE DEM
600 HIGH, MODESTO M 32
PHONE 523-7400 95354

OLSON, MRS ETHELYN I. REP
132 CHABOT CT, MODESTO M 32
PHONE 524-0084 95354

CIRAOLO, MRS VIOLA R. REP
223 LUCERN, MODESTO M 32
PHONE 522-1379 95354

RANDOLPH, MRS EVELYN REP
315 HIGH, MODESTO M 29
PHONE 523-4962 95354

RANDOLPH, MISS MARTHA N. REP
315 HIGH, MODESTO M 29
PHONE 523-4962 95354

SPECIAL 43021 H. HINKLE, GARAGE
M 30-103 1609 PRIMROSE LN
MODESTO, CALIF

MANNING, MRS ELSIE M. REP
1204 CLIFTON DR, MODESTO M 30
PHONE 522-8344 95355

HINKLE, MRS MARY E. DEM
1609 PRIMROSE LN, MODESTO M 30
PHONE 577-1143 95355

NIELSEN, MRS DIANA M. REP
1316 GREENBRIER LN, MODESTO M 103
PHONE 522-4470 95355

BAKER, MRS ANGIEL H. REP
1321 GREENBRIER LN, MODESTO M 103
PHONE 521-1475 95355

SPECIAL 43022 GENEVA PRESBYTERIAN
M 54-82 CHURCH-REC HALL
1003 COFFEE
MODESTO, CALIF

EVANS, MRS RUTH A. REP
1117 HALFMOON, MODESTO M 54
PHONE 524-0077 95350

HARRIS, MRS EVELYN C. REP
1140 CAMBRIDGE, MODESTO M 54
PHONE 524-9778 95350

ATKINSON, MRS MABEL REP
1316 EL VECINO, MODESTO M 82
PHONE 522-9376 95350

MILLER, MRS JUNE E. REP
704 DAWN DR, MODESTO M 82
PHONE 523-1547 95350

SPECIAL 43023 EMANUEL LUTHERAN CH
M 33 AUGUSTANA HALL
324 COLLEGE
MODESTO, CALIF

HAMMOND, MRS NORMA S. REP
1235 PRINCETON, MODESTO M 33
PHONE 523-0427 95350

JOHANSEN, MRS PEARL REP
1212 PRINCETON, MODESTO M 33
PHONE 523-4084 95350

ALAMSHA, MRS HELEN B. REP
1225 TRINITY, MODESTO M 33
PHONE 529-9227 95350

REUHL, MRS GEORGIA REP
3916 LAHAINA LN, MODESTO M 70
PHONE 523-9887 95355

SPECIAL 43024 ENSLEN SCHOOL-ROOM 1
M 34 515 COLDWELL
MODESTO, CALIF

BACCIARINI, MRS ANNA E. DEM
604 GEER CT, MODESTO M 34
PHONE 523-8960 95354

EDWARDS, MRS HELEN I. REP
664 GEER CT, MODESTO M 34
PHONE 523-0372 95354

VAN ANTWERPEN, MRS THELMA REP
805 GEER, MODESTO M 34
PHONE 523-8611 95354

WILLIAMS, MRS WILMA O. REP
720 SYCAMORE, MODESTO M 34
PHONE 529-7112 95354

SPECIAL [illegible] SR HI SCH
M 35-37 HALL-1330 COLLEGE
MODESTO, CALIF

SCANLON, MRS DORIS L. REP
1112 ULRICH, MODESTO M 37
PHONE 524-3246 95350

COOVER, MRS PAULINE REP
1120 OBERLIN CIRCLE, MODESTO M 37
PHONE 523-8180 95350

SCHMITZ, MRS VIOLA A. REP
620 HILTON, MODESTO M 37
PHONE 526-1467 95350

BERDOT, MRS HELEN J. DEM
911 HELMS LN, MODESTO M 35
PHONE 523-6545 95350

CORRIGAN, MRS EVELYN D. DEM
922 HELMS LN, MODESTO M 35
PHONE 522-8301 95350

SPECIAL 43026 GRACE LUTHERAN CHURCH
M 36-83 PARISH HALL
617 W ORANGEBURG
MODESTO, CALIF

KERN, MRS LUCILLE H. REP
211 MARIAN, MODESTO M 36
PHONE 522-5826 95350

DUFFY, MRS COLYSTA C. REP
906 STANFORD, MODESTO M 35
PHONE 522-2733 95350

ARCHIBALD, MRS MARTHA J. REP
1308 BRADY, MODESTO M 36
PHONE 521-1875 95350

DAVIS, MRS MARY A. REP
1639 BRONSON, MODESTO M 83
PHONE 523-0859 95350

PEER, MRS ELLA W. REP
1725 ARDMORE, MODESTO M 83
PHONE 522-5828 95350

SPECIAL 43027 COLLEGE AVE BAPTIST
M 38-39 CHURCH-1539 COLLEGE
MODESTO, CALIF

FREITAS, MRS MARY R. REP
1404 ROOSEVELT, MODESTO M 38
PHONE 522-8100 95350

SPIELMAN, MRS LILLIAN DEM
507 BALBOA, MODESTO M 38
PHONE 522-8892 95350

FRASER, MRS IDA H. DEM
309 W GRANGER, MODESTO M 38
PHONE 524-3772 95350

NYGAARD, MRS MARGARET E. DEM
1510 CONCORD, MODESTO M 39
PHONE 523-1658 95350

ZOODSMA, MRS VIOLA DEM
1451 BRONSON, MODESTO M 39
PHONE 522-8053 95350

SPECIAL 43028 BEARD SCHOOL-LIBRARY
M 40-41 915 BOWEN
MODESTO, CALIF

PACE, MRS ELLA F. DEM
1013 ASHFORD CT, MODESTO M 41
PHONE 526-9176 95350

DE FERRARI, MRS MARY L. DEM
1819 MONTE VERDE, MODESTO M 40
PHONE 523-8714 95350

NIEMI, MRS DOLORES R. IND
1002 ASHFORD CT, MODESTO M 41
PHONE 523-0138 95350

THRELFALL, MRS PHYLLIS J. DEM
1140 MT VERNON, MODESTO M 40
PHONE 522-6396 95350

JOLLEY, MRS HARRIET T. REP
1817 MONTICELLO, MODESTO M 40
PHONE 523-1540 95350

SPECIAL 43029 M 42-43
MODESTO CH OF GOD
1918 SHERWOOD
MODESTO, CALIF

GASKA, MRS NORMA B. — DS M 42
501 BRIGGSMORE, MODESTO
PHONE 522-2738 95350

BALLARD, MRS FAY H. — REP M 42
505 BRIGGSMORE, MODESTO
PHONE 522-8631 95350

JOHNSTON, MRS HAZEL M. — REP M 40
1824 MONTE VERDE, MODESTO
PHONE 526-0477 95350

SOLOMON, MRS EVELYN S. — DEM M 43
709 FLEETWOOD, MODESTO
PHONE 523-0301 95350

KEASLING, MRS JEAN S. — REP M 43
2402 DORRINGTON CT, MODESTO
PHONE 529-1053 95350

SPECIAL 43030 M 48
ROBERT MOORE, GARAGE
2712 RAINTREE PL
MODESTO, CALIF

DOVE, MRS MARJORY B. — REP M 48
2628 SURREY, MODESTO
PHONE 526-1603 95355

TRUMAN, MRS DONNA B. — REP M 48
1209 ROMANO WAY, MODESTO
PHONE 524-8789 95355

MOORE, MRS ROSEMARY — REP M 48
2712 RAINTREE PL, MODESTO
PHONE 527-1954 95355

LILLY, MRS DOROTHY E. — DEM M 48
2728 RAINTREE PL, MODESTO
PHONE 523-8708 95355

SPECIAL 43031 M 50-51
ORANGEBURG AVE
BAPTIST CHURCH
313 ORANGEBURG
MODESTO, CALIF

SELL, MRS RUTH M. — DEM M 51
1237 NELSON, MODESTO
PHONE 523-2710 95350

SAMPLE, MRS HAZEL — DEM M 51
313 DAWN DR, MODESTO
PHONE 522-8880 95350

THOMAS, MRS ELIZABETH M. — REP M 51
422 E GRANGER, MODESTO
PHONE 522-7048 95350

BARHITE, MRS JOYCE A. — REP M 50
210 HINTZE, MODESTO
PHONE 521-9510 95354

BOYNE, MRS SUSAN H. — REP M 50
136 HINTZE, MODESTO
PHONE 529-4784 95354

SPECIAL 43032 M 52-60
COUNTY AUDITORIUM
CENTER NO. 3
2115 SCENIC DR
MODESTO, CALIF

MARKMILLER, MRS NORMA G. — DEM M 52
2001 SCENIC, MODESTO
PHONE 523-6279 95355

ROSCOE, MRS JANYCE R. — REP M 52
713 RIO VISTA, MODESTO
PHONE 524-2097 95350

WILLIAMS, MRS MARY T. — DEM M 52
801 RIO VISTA DR, MODESTO
PHONE 523-8990 95355

BRUGGENKAMP, MRS MARY A. — REP M 60
1705 ANGELENE DR, MODESTO
PHONE 524-1591 95355

PHILLIPS, MRS ORA RUTH — REP M 60
1525 IRENE, MODESTO
PHONE 522-2491 95355

SPECIAL 43033 TRINITY BAPTIST
M 62 CHURCH, 1346 RONALD
MODESTO, CALIF

SCHMIDT, MRS PATRICIA REP
2114 NORMAN WAY, MODESTO M 62
PHONE 529-3109 95350

SCHNEIDER, MRS CATHERINE DEM
1604 PIMLICO, MODESTO M 62
PHONE 95350

BORDOLI, MRS PATRICIA A. REP
1600 HIALEAH DR, MODESTO M 62
PHONE 529-0361 95350

HOLDEN, MRS HELEN R. REP
1509 TULLY, MODESTO M 13
PHONE 524-1932 95350

SPECIAL 43034 FREE METHODIST CHURCH
M 81-107 1520 ROSE
MODESTO, CALIF

MARXMILLER, MRS MARILEE REP
1900 LAFAYETTE, MODESTO M 81
PHONE 522-2948 95355

MOORE, MRS MARY ELLEN DEM
1833 LAFAYETTE, MODESTO M 81
PHONE 524-1093 95355

NELSON, MRS LEONA P. REP
1817 ROCKFORD, MODESTO M 81
PHONE 522-7047 95355

TUCKER, MRS AMY G. REP
1339 E COOLIDGE, MODESTO COF3
PHONE 522-1286 95355

PRICE, MRS CLAIRE M. REP
1621 E COOLIDGE, MODESTO COF3
PHONE 522-6793 95355

SPECIAL 41035 CAPISTRANO SCHOOL
M 53-86 400 CAPISTRANO
87-105 MODESTO, CALIF

KOSKI, MRS NANCY F. REP
2656 EL GRECO DR, MODESTO M 53
PHONE 524-1136 95351

HOWARD, MRS FREEDA REP
2708 BARCELONA DR, MODESTO M 53
PHONE 521-9223 95351

ZAKARIAN, MRS JANE V. REP
2741 SANTIAGO DR, MODESTO M 53
PHONE 522-9379 95351

NELSON, MRS PATRICIA J. REP
2736 LA PALMA DR, MODESTO M 53
PHONE 521-6000 95351

WOMACK, MRS BONNIE S. DEM
3000 DRY CREEK DR, MODESTO M 105
PHONE 524-4308 95351

SPECIAL 41036 M. ELLIOTT, GARAGE
M 75-99 1404 OLD FARM
MODESTO, CALIF

HUFFMAN, MRS ALINE F. REP
3716 APPLE HILL, MODESTO M 75
PHONE 526-5138 95355

ELLIOTT, MRS BEATRICE DEM
1404 OLD FARM, MODESTO M 75
PHONE 577-0969 95355

RAYNOR, MRS DEBBIE K. DEM
2812 MEDICINE BOW DR, MODESTO M 75
PHONE 95355

McMILLAN, MADALENE W. DEM
1513 OLD FARM, MODESTO M 75
PHONE 577-2381 95355

McMILLAN, WILLIAM H. DEM
1513 OLD FARM, MODESTO M 75
PHONE 577-2381 95355

SPECIAL 48037 JOHN LAGUE, GARAGE
M 18-85 1432 GLEN AULEN
MODESTO, CALIF

LAGUE, MRS BARBARA E. REP
1432 GLEN AULEN, MODESTO M 18
PHONE 524-3578 95350

ARNO, MRS MARGARET K. DEM
3009 DEANNA WAY, MODESTO M 18
PHONE 522-0080 95350

DAVIS, MRS EILEEN F. REP
3104 GAYLAND DR, MODESTO M 18
PHONE 522-3466 95350

LIPSKY, MRS MARJORIE F. REP
3117 HIGHBEE CT, MODESTO M 18
PHONE 522-6161 95350

SPECIAL 48038 WOODROW SCHOOL
M 44-55 800 WOODROW
MODESTO, CALIF

DOORNWARD, MRS DONNA E. REP
3213 SHERWOOD, MODESTO M 55
PHONE 522-2976 95350

TAYLOR, MRS FLORA M. REP
312 BIRCHWOOD CT, MODESTO M 55
PHONE 95350

PETRULAKIS, MRS ANNA REP
3205 SHERWOOD, MODESTO M 55
PHONE 522-0293 95350

BRADY, MRS ESTHER J. REP
1200 LEXINGTON DR, MODESTO M 44
PHONE 522-6112 95350

ASIMACOPOULAS, MRS MARY S. DEM
3125 NAPIER DR, MODESTO M 44
PHONE 523-0243 95350

SPECIAL 48039 STANDIFORD SCHOOL
M 45 605 TOKAY
MODESTO, CALIF

HUBBARD, MRS EVELYN L. DEM
2720 SUNRISE, MODESTO M 73
PHONE 522-7945 95350

FUXA, MRS MARIE E. N.P.
218 BRIAN CT, MODESTO M 45
PHONE 524-5995 95350

GUINN, MRS EDYTHE D. DEM
513 NORWEGIAN, MODESTO M 45
PHONE 522-7036 95350

SEGAL, MRS VIRGINIA E. DEM
521 NORWEGIAN, MODESTO M 45
PHONE 522-7974 95350

SPECIAL 48040 SOMERSET SCHOOL-LIBRY
M 46-57 1037 FLOYD
MODESTO, CALIF

CLINE, MRS CHERYL R. REP
1005 TAHOE DR, MODESTO M 46
PHONE 523-5096 95350

VIETHS, MRS MARJORIE A. DEM
1014 REDONDO CT, MODESTO M 46
PHONE 523-5360 95350

ADKINS, MRS JEANETTE R. REP
420 CHARLES, MODESTO M 57
PHONE 95350

PETERS, MRS MERCEDES Y. DEM
505 BRUCE, MODESTO M 57
PHONE 524-1697 95350

CANNING, MRS JUNE I. DEM
401 RYAN, MODESTO M 57
PHONE 524-4145 95350

SPECIAL 48041 SHERWOOD SCHOOL
M 47-71 819 E RUMBLE
MODESTO, CALIF

RUCH, MRS CATHARINE S. REP
3016 HIGHGATE, MODESTO M 47
PHONE 523-0177 95350

HOSEGOOD, MRS JOYCE B. REP
928 TERRACE PL, MODESTO M 47
PHONE 523-9626 95350

SWAN, MRS SYLVIA REP
1113 STRATFORD LN, MODESTO M 47
PHONE 521-7199 95350

HELKER, MRS LOIS A. REP
3552 CLAREMONT, MODESTO M 71
PHONE 529-4588 95350

STEPHENS, MRS LOIS E. DEM
3602 SYLVAN MEADOW CT, MODESTO M 71
PHONE 526-0761 95350

SPECIAL 48042 Y.M.C.A. BUILDING
M 56-78 2700 McHENRY
MODESTO, CALIF

GRANQUIST, MRS GEORGIA DEM
220 EMERSON, MODESTO M 56
PHONE 524-1924 95350

CROCCO, MRS BONNIE C. REP
305 E RUMBLE, MODESTO M 56
PHONE 522-3470 95350

WILBURN, MRS EVELYN X. DEM
2713 WESTCHESTER LN, MODESTO M 70
PHONE 524-1108 95350

CORRIN, MRS TERESE A. DEM
800 E RUMBLE, MODESTO M 78
PHONE 523-2983 95350

SPECIAL 48043 VILLA VERDE NORTH
M 58-77 CLUB ROOM
2100 COFFEE
MODESTO, CALIF

CALLAS, MRS RUTH REP
2522 LIBERTY CT, MODESTO M 58
PHONE 523-1142 95355

RINALDI, MRS CATHERINE REP
2514 LIBERTY CT, MODESTO M 58
PHONE 523-7459 95355

CANANT, MRS KATHRYN B. DEM
2300 VERA CRUZ DR, MODESTO M 58
PHONE 95355

SHERLOCK, MRS GERTRUDE R. REP
1909 MARCUS DR, MODESTO M 77
PHONE 522-2824 95355

CLEMONS, MRS MARIE P. DEM
2413 PRIDMORE, MODESTO M 77
PHONE 526-1063 95355

SPECIAL 48044 HOMEWOOD VILLAGE
M 59-70 REC ROOM
2000 MABLE
MODESTO, CALIF

BINGHAM, MRS DOROTHY M. DEM
3916 SURFSIDE DR, MODESTO M 70
PHONE 521-6541 95355

MEIER, MRS GENEVIEVE C. D S
3937 MOANA WY, MODESTO M 70
PHONE 523-4477 95355

DILLWOOD, MRS SALETA A. REP
3901 PALI PL, MODESTO M 70
PHONE 521-7780 95355

USELTON, MRS JEAN DEM
3405 APPLEWOOD WY, MODESTO M 59
PHONE 526-8499 95350

LARSON, MRS KATHREEN W. DEM
3913 MAUI TERRACE, MODESTO M 70
PHONE 524-9584 95355

SPECIAL 48045 ALFRED MATTHEWS
M 72-80 SHOWROOM
94-98 3807 McHENRY
MODESTO, CALIF

QUIGLEY, MRS LYNDA A. REP
3604 POINSETTA DR, MODESTO M 72
PHONE 526-0635 95350

NICHOLSON, MRS HARRIETT E. DEM
1016 PRINCESS CT, MODESTO M 00
PHONE 523-8074 95350

GRAHAM, MS CHERYL L. DEM
301 STANDIFORD 212, MODESTO M 94
PHONE 527-8041 95350

DODGE, MRS CHARLOTTE J. REP
3901 MOOREA DR, MODESTO M 98
PHONE 523-6776 95350

PARROTT, MRS SUSAN G. REP
3709 MARIGOLD LN, MODESTO M 72
PHONE 529-6045 95350

SPECIAL 48046 BOY SCOUT COVELL
M 76-102 SERVICE CENTER
1324 CELESTE DR
MODESTO, CALIF

GROTE, MRS JEANNE C. REP
1016 ORCHID, MODESTO M 60
PHONE 522-7017 95355

GROTE, HARVEY F. DEM
1016 ORCHID, MODESTO M 60
PHONE 522-7017 95355

KELLEY, MRS BERNICE H. DEM
2307 OAKDALE 14, MODESTO COF7
PHONE 527-0534 95355

WHITTINGTON, MISS PAT Z. DEM
2307 OAKDALE 20, MODESTO COF7
PHONE 524-9575 95355

SPECIAL 48047 SYLVAN UNION SCHL
M 79-91-93 DIST ADMINISTRATION
BLDG-605 SYLVAN
MODESTO, CALIF

MORGAN, MRS DORIS A. DEM
1200 HUNTINGTON DR, MODESTO M 46
PHONE 522-7957 95350

BRYAN, MRS JUNEITA L. DEM
1201 HUNTINGTON DR, MODESTO M 46
PHONE 524-7208 95350

CARPENTER, MRS LA FRANCES H. REP
3421 DARRYL LN, MODESTO M 79
PHONE 522-0993 95350

PEET, MRS CLARE L. REP
3501 REXFORD DR, MODESTO M 91
PHONE 529-4922 95350

BATES, MRS HELEN E. REP
520 BELLWOOD LN, MODESTO M 93
PHONE 529-5936 95350

SPECIAL 48048 BOYCE, GARAGE
M 100 1820 DORSET LN
MODESTO, CALIF

MROZ, MRS SHARON L. D S
3105 ELGIN WY, MODESTO M 100
PHONE 521-7267 95355

OROZCO, MARY C. DEM
1516 E RUMBLE, MODESTO M 100
PHONE 527-6821 95355

SANTISTEVAN, MRS BETTY D. DEM
2801 MALAGA WY, MODESTO M 100
PHONE 529-8627 95355

FREGGIARO, MS LYNDA M. DEM
2808 JOHROM LN, MODESTO M 100
PHONE 524-5841 95355

SPECIAL 48049 GARDEN EAST
M 66-73 APARTMENTS CLUBHOUSE
1213 NORWEGIAN
MODESTO, CALIF

MELROSE, MRS GERALDINE DEM
701 NORWEGIAN, MODESTO M 66
PHONE 523-5941 95350

BELL, MRS MYRTLE M. DEM
2012 SUNRISE, MODESTO M 66
PHONE 522-8419 95350

MARCETTI, MRS EVELYN E. DEM
1655 HONEYSUCKLE, MODESTO M 73
PHONE 529-4089 95350

GABEREL, MRS DORIS M. DEM
1604 GARDENIA, MODESTO M 73
PHONE 524-2730 95350

SPECIAL 50050 ABSENTEE POLL
M 49 NO POLLING PLACE-VOTE
ABSENTEE IN ACCORDANCE WITH SECTION
1005 OF ELECTION CODE

SPECIAL 47051 PRESCOTT BIBLE CHURCH
M 16-17 3000 PRESCOTT
MODESTO, CALIF

FREDELL, MRS HELEN L. REP
1700 ROBBIE, MODESTO M 17
PHONE 526-1763 95350

BUBECK, MRS PANSY A. DEM
2016 RENCHLER LN, MODESTO M 17
PHONE 524-6072 95350

HANEY, MRS CAROL J. DEM
1809 BONANZA WY, MODESTO M 17
PHONE 523-0342 95350

DERBENA, MRS EVA M. DEM
1042 GULFSTREAM, MODESTO M 16
PHONE 523-7172 95350

WEEKLY, MRS BONNIE R. DEM
1824 SKYLANE WAY, MODESTO M 16
PHONE 524-7038 95350

SPECIAL 47052 SEARS ROEBUCK UPPER
M 84-90 TRAINING RM IN STORE
96-106 BY OFFICES
3401 DALE, MODESTO

SHIYOMURA, MRS BESSIE U. DEM
2218 MONTE VERDE, MODESTO M 40
PHONE 526-0819 95350

JOHNSON, MRS BARBARA B. DEM
2601 VENEMAN, MODESTO M 90
PHONE 522-3906 95350

WINN, MRS VERNIE M. DEM
2621 PRESCOTT 177, MODESTO M 104
PHONE 522-5934 95350

MAGANA, MRS FERMINA DEM
2205 MONTE VERDE, MODESTO M 40
PHONE 524-3548 95350

SPECIAL 47053 ABSENTEE POLL
M 61 NO POLLING PLACE-VOTE ABSENTEE IN ACCORDANCE WITH SECTION 1005 OF ELECTION CODE

SPECIAL 47054 CHRYSLER SCHOOL CAFETERIA
M 64-67 2818 CONANT
MODESTO, CALIF

VAN TUINEN, MRS RUTH V. DEM
2321 EICHER, MODESTO M 67
PHONE 523-5098 95350

VIEYRA, MRS DOLORES M. DEM
2228 EICHER, MODESTO M 67
PHONE 521-6708 95350

GEIS, MRS DOROTHY REP
2728 WHITCOMB, MODESTO M 64
PHONE 529-8160 95350

MILLER, MRS LILLIAN M. REP
2324 WHITCOMB WAY, MODESTO M 64
PHONE 524-0563 95350

SPECIAL 47055 JOHN CADRETT, GAR
M 68-95 1556 MARSHA
MODESTO, CALIF

CADRETT, MRS MARY A. DEM
1556 MARSHA, MODESTO M 68
PHONE 522-7659 95350

WRIGHT, MRS DORIS L. DEM
1500 STANDIFORD, MODESTO M 68
PHONE 522-4390 95350

McHUGH, FRANCIS L. DEM
3717 LONGBRIDGE DR, MODESTO M 95
PHONE 527-7414 55350

McHUGH, JOSEPH A. III DEM
3717 LONGBRIDGE DR, MODESTO M 95
PHONE 527-7414 95350

SPECIAL 47056 PRESCOTT SR
M 69 ELEMENTARY SCHL
2243 W RUMBLE
MODESTO, CALIF

HEFLEY, HENRY A. DEM
1721 APPLEGATE DR, MODESTO M 17
PHONE 521-7908 95350

HEFLEY, MRS EMILY C. DEM
1721 APPLEGATE DR, MODESTO M 17
PHONE 521-7908 95350

COOKE, MRS FRIEDA B. DEM
2100 HELTZER LN, MODESTO M 6
PHONE 523-2798 95350

WINN, MRS J. AGNES REP
2129 GOLDEN WEST LN, MODESTO M 69
PHONE 523-8214 95350

SPECIAL 47057 FRIENDLY VILLAGE
M 97-104 MOBILE PARK
2621 PRESCOTT
MODESTO, CALIF

HOOVER, MRS BEATRICE A. REP
2621 PRESCOTT 24, MODESTO M 104
PHONE 522-1304 95350

LIGHTNER, MRS MARY E. DEM
2621 PRESCOTT 77, MODESTO M 104
PHONE 523-9318 95350

HOSKINSON, MRS TOMMIE E. DEM
2621 PRESCOTT-NO 194, MODESTO M 104
PHONE 527-1298 95350

JEFFERS, MRS YVONNE E. REP
1805 GLASTON, MODESTO M 97
PHONE 526-1975 95350

SPECIAL 43058 ORVILLE WRIGHT SCHOOL
AIRPORT 1-2-3 ENTRY-1602 MONTEREY
MODESTO, CALIF

LOVE, MRS DOROTHY D. DEM
1714 BONNIE BRAE, MODESTO AP 1
PHONE 521-9367 95351

DAVIS, MRS NELLIE M. DEM
805 KERR, MODESTO AP 1
PHONE 523-6993 95351

ARMSTRONG, MRS LOIS B. REP
505 S SANTA ANA, MODESTO AP 2
PHONE 522-8451 95351

RODRIGUES, MRS MILDRED A. DEM
318 S SANTA ANA, MODESTO AP 3
PHONE 522-3445 95351

SPECIAL 43059 INDUSTRIAL FIRE HOUSE
CASWELL 5-6 148 IMPERIAL
MODESTO, CALIF

UNDERWOOD, MRS CARLA J. DEM
520 IMPERIAL, MODESTO CA 6
PHONE 537-3484 95351

HAMMONS, MRS JOYCE DEM
324 GLENN, MODESTO CA 6
PHONE 537-9097 95351

WALLS, MRS EUPHA N. DEM
1608 SPOKANE, MODESTO CA 5
PHONE 537-1917 95351

THOMAS, MRS MARIE C. DEM
1614 SPOKANE, MODESTO CA 5
PHONE 537-4470 95351

SPECIAL 43060 FAIRVIEW SCHOOL
CASWELL 7 CAFETERIA
2169 WHITMORE
MODESTO, CALIF

LEE, MRS FRANCES E. REP
3230 VIVIAN, MODESTO CA 7
PHONE 537-4193 95351

DAVA, MRS INEZ DEM
2043 W WHITMORE, MODESTO CA 7
PHONE 537-3580 95351

LEE, MRS GLORIA E. REP
3500 VIVIAN, MODESTO CA 7
PHONE 537-2241 95351

GIBSON, MRS HELEN A. DEM
1755 POLAND, MODESTO CA 7
PHONE 537-0593 95351

SPECIAL 43061 ABSENTEE POLL
CERES 11 NO POLLING PLACE-VOTE
ABSENTEE IN ACCORDANCE WITH SECTION
1005 OF ELECTION CODE

SPECIAL 43062 INDUSTRIAL FIRE HOUSE
CLUB 3 830 PECOS
PAGE 2 MODESTO, CALIF

PENA, MRS CLOTILDA E. DEM
821 LOMBARDO, MODESTO PAG2
PHONE 577-1463 95351

FIERRO, MRS ANGELA E. DEM
637 PERFIDIA, MODESTO PAG2
PHONE 523-8632 95351

SUTTON, MISS ETHEL M. REP
1433 HOLM, MODESTO CLU3
PHONE 524-3414 95351

BRATZ, MRS VIOLA M . DEM
919 ACACIA, MODESTO CLU3
PHONE 522-9127 95351

SPECIAL 43063 G. HEMMINGER, RES
COFFEE 1 520 SUNNYSIDE
MODESTO, CALIF

HEMMINGER, MRS GLADYS C. DEM
520 SUNNYSIDE, MODESTO COF
PHONE 522-1392 95355

PETERSON, MRS CARLA M. DEM
910 BURKE, MODESTO M 31
PHONE 527-3646 95350

MOORE, MRS MARIAN H. DEM
223 KIMBLE, MODESTO M 29
PHONE 523-6398 95354

AVILA, MS KATHERINE L. DEM
1625 SCENIC DR 32, MODESTO M 60
PHONE 529-6024 95355

SPECIAL 43064 ORANGEBURG AVE
COFFEE 4 BAPTIST CHURCH
313 ORANGEBURG
MODESTO, CALIF

ARNERICH, MRS ROBERTA DEM
1116 CAMBRIDGE, MODESTO M 54
PHONE 523-7502 95350

TORVEND, MRS ANGELA J. DEM
530 EL CAJON, MODESTO M 28
PHONE 522-5468 95350

KOROCK, MRS LEONA M. REP
1405 BRANNON, MODESTO M 8
PHONE 526-4286 95350

STEDGE, MRS DOROTHY M. REP
918 BADGLEY DR, MODESTO M 8
PHONE 522-1854 95350

SPECIAL 43065 WESLEY UNITED
COFFEE 6 METHODIST CHURCH
EMPIRE 1 300 TRASK LANE
MODESTO, CALIF

SHANK, MRS GRACE M. DEM
2312 VIOLA, MODESTO EMP1
PHONE 522-1525 95351

HANNE, MRS DOROTHY G. REP
301 CLOVERDALE, MODESTO EMP1
PHONE 523-9417 95351

HAMILTON, MRS EDITH A. DEM
2128 ELLIS, MODESTO COF6
PHONE 524-7034 95351

LIPKO, MRS MARION J. REP
2055 LANCE, MODESTO COF6
PHONE 522-8878 95351

SPECIAL 43066 SONOMA SCHOOL
McHENRY 1-6 1325 SONOMA
MODESTO, CALIF

HILLAR, MRS ELEANOR A. REP
2510 SCENIC, MODESTO Mc 6
PHONE 523-4446 95355

DRASBEK, MRS CORINNE M. REP
1004 CLARKSBURG, MODESTO Mc 1
PHONE 522-7025 95355

FAUSTINI, MRS ARGENE S. REP
1044 STANTON WAY, MODESTO Mc 1
PHONE 523-2330 95355

WILSON, MRS ROZANNE H. REP
1012 RUTLEDGE PL, MODESTO Mc 1
PHONE 523-7132 95355

SPECIAL 43067 SHACKELFORD SCHL-LIBR
PAGE 1 100 SCHOOL
MODESTO, CALIF

ARD, MRS OPAL D. DEM
641 S 7TH, MODESTO PAG1
PHONE 522-8845 95351

CAMITU, THERESA A. DEM
1824 TERESA, MODESTO M 12
PHONE 527-4605 95350

PAGE, MRS CECILIA G. DEM
2101 E HATCH, MODESTO CLU2
PHONE 538-1390 95351

RUECHELLE, MRS DOROTHY M. DEM
1212 PAYNE, MODESTO CLU2
PHONE 537-6184 95351

SPECIAL 43068 HOUSING AUTHORITY BLD
PARADISE 3 1701 ROBERTSON
4-5 MODESTO, CALIF

CHEEK, MRS KATHERINE D. DEM
2038 VERNON, MODESTO PA 4
PHONE 523-5369 95351

GUNN, MRS MARY DEM
1121 MANOR DR, MODESTO PA 3
PHONE 523-6873 95351

PEDEGO, MRS SIGNA M. DEM
603 COLORADO, MODESTO P.1 5
PHONE 522-6343 95351

BERNARD, MRS MARY J. DEM
1724 ROBERTSON RD, MODESTO PA 4
PHONE 523-6602 95351

SPECIAL 43069 MARK TWAIN SCHOOL
PARADISE 6-7 HALL-707 EMERALD
MODESTO, CALIF

MOORE, MRS LAVERNE D. REP
1649 VINEYARD HAVEN, MODESTO PA 6
PHONE 523-7392 95351

PEELE, MRS FRANCES G. REP
1649 VINEYARD HAVEN, MODESTO PA 6
PHONE 521-5015 95351

DRILL, MRS FRANCES I. REP
1643 VICTORIA, MODESTO PA 7
PHONE 522-0517 95351

FUNK, MRS GLADYS REP
1561 VERNON, MODESTO PA 7
PHONE 523-8468 95351

SPECIAL 43070 KING KENNEDY MEM CENT
PARADISE 8-9 601 S FRANKLIN
MODESTO, CALIF

DAVISON, MRS ALICE DEM
612 CALIFORNIA, MODESTO PA 9
PHONE 523-5710 95351

SPENKER, MRS MARY A. REP
1042 CALIFORNIA, MODESTO PA 6
PHONE 522-3915 95351

WATSON, MRS ALICE M. REP
1308 HARRIS, MODESTO PA 8
PHONE 522-7318 95351

MARTIN, MRS MARY L. DEM
905 TURNER, MODESTO PA 8
PHONE 526-0110 95351

SPECIAL 43071 MAZE BLVD CHRISTIAN
PARADISE 10 CHURCH-EDUCATIONAL
12 BLDG-725 MAZE
MODESTO, CALIF

CLARK, MRS VERNIE M. REP
1632 SHIRLEY CT, MODESTO PA1
PHONE 522-0516 95351

SUTTON, MRS GENEVIEVE P. DEM
919 ELM, MODESTO PA1
PHONE 524-1761 95351

BENSON, MRS DOROTHY M. REP
603 ELM, MODESTO PA1
PHONE 522-0409 95351

JOHNS, MRS ROSEMARIE DEM
530 ELM, MODESTO PA1
PHONE 523-7002 95351

SPECIAL 45072 SALIDA C.C.D. CENTER
SALIDA 1-2 4630 PARK
SALIDA, CALIF

CONNACHER, MRS BEVERLY M. REP
P O BOX 762, SALIDA S 1
PHONE 545-0682 95368

KNIGHT, MRS MADELINE B. DEM
P O BOX 856, SALIDA S 1
PHONE 545-0031 95368

BECK, MRS MARJORIE E. REP
6718 BECKWITH, MODESTO S 2
PHONE 545-0830 95350

BRIANT, MRS JENNIE DEM
P O BOX 464, SALIDA S 2
PHONE 545-0587 95368

SPECIAL 46073 SHILOH SCHOOL
PARADISE 1 6631 PARADISE
MODESTO, CALIF

SCIARINI, MRS IDA M. DEM
6213 PARADISE, MODESTO PA 1
PHONE 522-7349 95351

BIZZINI, MRS MARIE B. DEM
7513 PARADISE, MODESTO PA 1
PHONE 522-7093 95351

EHRLER, MRS ANN E. DEM
5919 PARADISE, MODESTO PA 1
PHONE 522-1926 95351

SILVA, MRS MARY A. REP
7984 PARADISE, MODESTO PA 1
PHONE 522-3821 95351

SPECIAL 47074 STANISLAUS UNION SCH
COFFEE 10 HALLWAY
McHENRY 3 1931 KIERNAN
PRES 1-3 MODESTO, CALIF

OHLAND, MRS ROBERTA J. REP
4609 DALE RD, MODESTO PR 1
PHONE 545-0672 95350

VAN KONYNENBURG, MRS CHRISTINA REP
3724 DALE RD, MODESTO PR 1
PHONE 522-1760 95350

ANDERSON, MRS TWYLA L. REP
2300 VENEMAN, MODESTO PR 3
PHONE 524-2297 95350

MOORE, MRS PATRICIA S. REP
417 STEWART, MODESTO Mc 3
PHONE 524-0324 95350

BIRCHALL, MRS LORNA C. REP
7116 OAKMONT DR, MODESTO Mc 3
PHONE 545-1540 95350

SPECIAL 42075 HART-RANSOM SCHOOL
HART RANS 1-2 MULTIPURPOSE ROOM
3930 SHOEMAKE
MODESTO, CALIF

WENGER, MRS BETTY L. REP
4342 BECKWITH, MODESTO HR 1
PHONE 522-1778 95351

KASPER, MRS MARIE DEM
5254 BLUEGUM, MODESTO HR 1
PHONE 529-2311 95351

BORBA, MRS THERESA DEM
4349 KANSAS, MODESTO HR 1
PHONE 522-7842 95351

TONINI, MRS ALICE E. DEM
2218 WOODLAND, MODESTO HR 2
PHONE 522-0217 95351

SPECIAL 41076 EMPIRE FIRE HOUSE
EMPIRE 2-3-6 4845 YOSEMITE
McHENRY 5 EMPIRE, CALIF

GLICK, MRS HANNAH F. REP
P O BOX 6, EMPIRE EMP3
PHONE 523-2207 95319

HENDERSON, MRS LAVINA REP
317 N McCLURE, MODESTO EMP3
PHONE 529-3993 95351

PROUTY, MRS FLORENCE L. REP
621 McCLURE RD, MODESTO EMP6
PHONE 523-2221 95351

BAUMANN, MRS ARLINE E. REP
P O BOX 32, EMPIRE EMP6
PHONE 524-0265 95319

SPECIAL 41077 EMPIRE COMMUNITY
EMPIRE 4 CLUB HOUSE
1ST & EYE STS
EMPIRE, CALIF

STANLEY, MRS ELVERTA Z. DEM
P O BOX 1174, EMPIRE EMP4
PHONE 524-0516

BARKLOW, MRS HELEN A. REP
P O BOX 595, EMPIRE EMP4
PHONE 523-0292 95319

WIDICK, MRS EDITH B. REP
5010 MILNES, MODESTO CL 3
PHONE 523-3316 95355

BELYEU, MRS PATSYE S. DEM
P O BOX 66, EMPIRE EMP4
PHONE 529-9858 95319

SPECIAL 41078 EMPIRE AG CHEMICAL
EMPIRE 5 118 ALBERS
MODESTO, CALIF

REINY, MRS ESTHER P. REP
243 FAIRLAND, MODESTO EMP5
PHONE 522-7867 95351

GOSNELL, MRS CRYSTAL B. REP
445 DAVISON, MODESTO EMP5
PHONE 524-0941 95351

FERGUSON, MRS GEORGIE E. REP
9131 YOSEMITE, MODESTO EMP5
PHONE 522-3301 95351

FRANTZ, MRS R. ELLEN REP
441 DAVISON, MODESTO EMP5
PHONE 523-6963 95351

SPECIAL 44079 PARADISE SCHOOL
PARADISE 2-11 3361 CALIFORNIA
MODESTO, CALIF

PLUMLEE, MRS MARIE DEM
1507 GRIMES, MODESTO PA 2
PHONE 524-3643 95351

EAGER, MRS WILMA M. DEM
1160 PAULINE, MODESTO PA 2
PHONE 529-1293 95351

FURTADO, MRS ROSE MARIE A. DEM
3449 PARADISE, MODESTO PA11
PHONE 524-2110 95351

CRUM, MRS CHRISTINE P. DEM
3512 PARADISE, MODESTO PA11
PHONE 523-0240 95351

SPECIAL 48080 RIVERBANK FIREHOUSE
COFFEE 2 707 CLARIBEL
McHENRY 4 MODESTO, CALIF
RIVERBANK 4-5

MENSINGER, MRS DAWN E. REP
7018 N PARK RIDGE CT, MODESTO Mc 4
PHONE 869-4471 95355

CODONI, MRS MARY L. REP
2019 RIVER HEIGHTS DR, RIVERBANK R 5
PHONE 869-1209 95367

CIPPONERI, MRS LENA DEM
2445 SYLVAN, MODESTO COF2
PHONE 523-3340 95355

NOLEN, MRS EDITH M. REP
3739 ROSELLE, MODESTO COF2
PHONE 522-4771 95355

SPECIAL 48081 MISTLIN BUICK SHOW RM
COFFEE 5-8 3120 McHENRY
MODESTO, CALIF

FREBERG, MRS KATHRYN B. REP
1107 SYLVAN MEADOWS, MODESTO M 71
PHONE 529-0419 95350

ZAGARIS, MRS LIBERTY DEM
409 ROBIN HOOD DR, MODESTO COF8
PHONE 523-2598 95350

CHURCH, MRS MARY J. REP
501 GREENWICH LN, MODESTO COF5
PHONE 529-5774 95350

DAVIS, MRS CAROL J. REP
3404 WEYMOUTH LN, MODESTO COF5
PHONE 526-0764 95350

SPECIAL 48082 GLENWOOD MOBILE HOME
COFFEE 7 PK-RECREATION BLDG
McHENRY 2 2307 OAKDALE
MODESTO, CALIF

ARMSTRONG, MRS HAZEL REP
2307 OAKDALE RD, NO 13, MODESTO COF7
PHONE 522-1625 95355

KINDLE, MRS CONSTANCE E. REP
2307 OAKDALE-58, MODESTO COF7
PHONE 522-4676 95355

ZIPSER, MRS MADGE DEM
2412 OLD OAKDALE RD, MODESTO Mc 2
PHONE 522-4347 95355

BRADLEY, MRS BETTY J. REP
3524 MERLE, MODESTO Mc 2
PHONE 523-2254 95355

SPECIAL 48083 SILVERWOOD MOBILE PK
COFFEE 9-11 3931 COFFEE
MODESTO, CALIF

PROUTY, MRS ETHEL REP
4125 McHENRY-SP C, MODESTO COF
PHONE 529-8378 95350

FELIX, MRS MARJORY A. REP
4125 McHENRY-SP 54, MODESTO COF
PHONE 523-0533 95350

OLINGER, MRS FERN A. REP
3931 COFFEE 5, MODESTO COF11
PHONE 524-0702 95355

HARMS, MRS FERN L. D S
3955 COFFEE 68, MODESTO COF11
PHONE 522-7609 95355

MODESTO CITY COUNCIL
RESOLUTION NO. 79-101

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILROAD COMPANY AUTHORIZING CITY MANAGER TO SIGN UNDERGROUND LICENSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railroad Company authorizing City Manager to sign Underground License at the Standiford Avenue crossing

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-102

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILROAD COMPANY AUTHORIZING CITY MANAGER TO SIGN UNDERGROUND PERMIT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railroad Company authorizing City Manager to sign Underground Permit at the Standiford Avenue crossing

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** February, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-103

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CAPITAL CONSTRUCTION COMPANY FOR THE PURCHASE OF 0.26± ACRES OF RIGHT OF WAY NEEDED FOR CLAUS ROAD - YOSEMITE TO BRIGGSMORE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Capital Construction Company for the purchase of 0.26± acres of right of way needed for Claus Road - Yosemite to Briggsmore project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-104

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Industrial Fire Protection District in Stanislaus County was annexed to the City of Modesto as Winmoore Way Annexation by Resolution No. 78-1151 adopted on November 6, 1978, and said annexation officially became a part of the City of Modesto on January 9, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Industrial Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

December 8, 1978
October 4, 1978
July 25, 1978

WINMOORE WAY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 9, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the Western right-of-way line of the Tidewater Southern Railroad;

1. thence along the existing City Limits and a Western line of said ADDITION (85), South 00° 30' 15" East, 322.28 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (85), South 89° 52' 45" West, 2226.61 feet;

3. thence continuing along the existing City Limits, North 00° 11' 00" West, 1015.25 feet;

4. thence leaving the existing City Limits, North 89° 46' 30" East, 1872.90 feet;

5. thence North 00° 30' 30" West, 399.20 feet;

6. thence North 89° 46' 00" East, 278.00 feet;

7. thence South 00° 30' 30" East, 59.00 feet;

8. thence North 89° 46' 00" East, 70.00 feet, to the Western right-of-way line of the Tidewater Southern Railroad;

9. thence South 00° 30' 30" East, along said Railroad right-of-way, 1037.28 feet, to the point of beginning, containing 55.027 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-105

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as East Coolidge No. 2 Annexation by Resolution of the Board of Supervisors of the County of Stanislaus adopted on December 19, 19 78, and said annexation officially became a part of the City of Modesto on January 10, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

EAST COOLIDGE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15 and the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records, said point being the intersection of Briggsmore Avenue and Rose Avenue:

1. thence along the existing City Limits along Rose Avenue and the Western line of ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, South 00° 40' 00" East, 76.96 feet, to the Northwestern corner of ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records;

2. thence continuing along the existing City Limits along said avenue and the Western line of said ADDITION (225), South 00° 40' 00" East, 643.78 feet, to the Northwest corner of KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records;

3. thence along the existing City Limits along said avenue and the Western line of said ADDITION (179), South 00° 40' 00" East, 346.35 feet, to the Northeastern corner of EAST ORANGEBURG NO. 5 ADDITION (271), as per description filed June 22, 1971, as Instrument 23063, Stanislaus County Records;

4. thence along the existing City Limits and the Northern line of said ADDITION (271), South 89° 50' 00" West, 1311.94 feet, to the Northwest corner of EAST ORANGEBURG NO. 4 ADDITION (270), as per description filed May 24, 1971, as Instrument 18983, Stanislaus County Records;

5. thence along the existing City Limits and the Northern line of said ADDITION (270), South 89° 52' 15" West, 1314.27 feet, to the center line of 90.00 foot Coffee Road;

6. thence along the existing City Limits along the center line of said road and an Eastern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 00° 30' 00" West, 329.35 feet, to the intersection of 90.00 foot Coffee Road and 60.00 foot East Coolidge Avenue and the Southwest corner of COFFEE-COOLIDGE ADDITION (358), as per description filed August 8, 1977, as Instrument 11260, Stanislaus County Records;

7. thence along the existing City Limits and said avenue along the Southern line of said ADDITION (358), North 89° 52' 00" East, 274.00 feet, to the intersection of the center lines of 60.00 foot East Coolidge Avenue and 50.00 foot Water Street and the Southeast corner of said ADDITION (358);

8. thence along the existing City Limits and 50.00 foot Water Street along the Eastern line of said ADDITION (358), North 00° 30' 00" West, 659.20 feet, to the Northern line of Section 22 and the Northwest corner of said ADDITION (358);

43781

3

9. thence along the existing City Limits and along a Southern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 89° 49' 00" East, 1037.30 feet to a Southeastern corner of said ADDITION (261);

10. thence along the existing City Limits along an Eastern line of said ADDITION (261), North 00° 40' 00" West, 77.84 feet, to the North right-of-way line of M. I. D. Lateral No. 3 and the Southwest corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records;

11. thence along the existing City Limits along the Southern line of said ADDITION (295), North 89° 50' 00" East, 1312.03 feet, to the point of beginning, containing 57.792 Acres, more or less.

43781

MODESTO CITY COUNCIL
RESOLUTION NO. 79-106

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE BURBANK-PARADISE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Burbank-Paradise Fire Protection District in Stanislaus County was annexed to the City of Modesto as Cheatham Drive Annexation by Resolution No. 79-11 adopted on January 2, 19 79, and said annexation officially became a part of the City of Modesto on January 17, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

CHEATHAM DRIVE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the ROUSE ADDITION (215), as per description filed June 4, 1968, as Instrument 17171, Stanislaus County Records;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (215), South 00° 03' 00" East, 330.00 feet, to a Northeastern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (149), South 89° 45' 00" West, 395.58 feet;

3. thence leaving the existing City Limits, North 00° 03' 00" West, 330.00 feet;

4. thence North 89° 45' 00" East, 395.58 feet, to the point of beginning, containing 3.073 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-107

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (WINMOORE WAY)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 78-1151 on November 6, 1978, certain territory known as Winmoore Way Annexation, and

WHEREAS, the inclusion of the area contained in Winmoore Way Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Winmoore Way Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 193.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, March 27, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A northwest corner of the annexation at the south line of Olivero Road.

(2) A northeast corner of the annexation at the south line of Olivero Road.

(3) A western line of the annexation at the south line of Winmoore Way.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 193, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

December 8, 1978
October 4, 1978
July 25, 1978

WINMOORE WAY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 9, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the Western right-of-way line of the Tidewater Southern Railroad;

1. thence along the existing City Limits and a Western line of said ADDITION (85), South 00° 30' 15" East, 322.28 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (85), South 89° 52' 45" West, 2226.61 feet;

3. thence continuing along the existing City Limits, North 00° 11' 00" West, 1015.25 feet;

4. thence leaving the existing City Limits, North 89° 46' 30" East, 1872.90 feet;

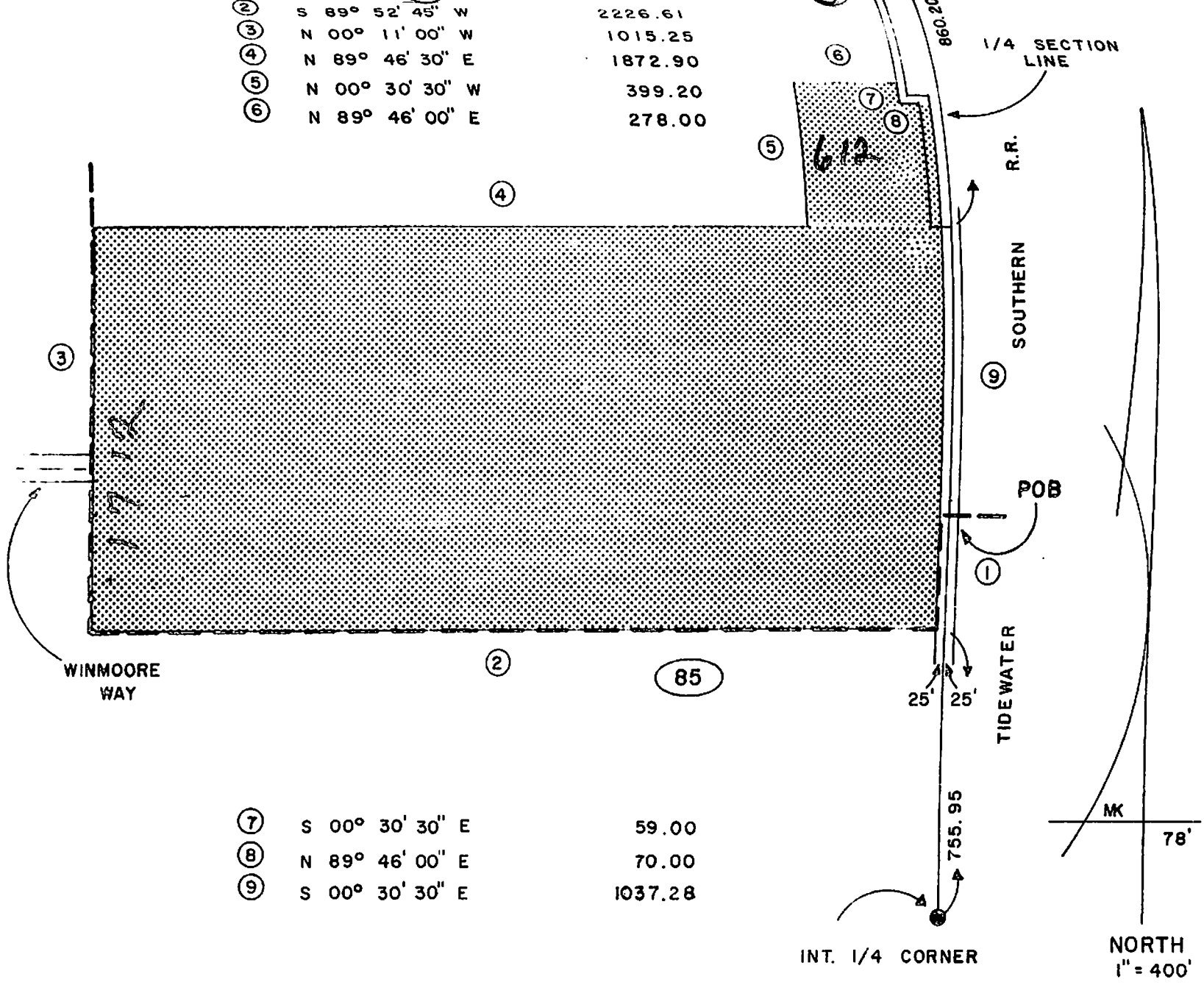
5. thence North 00° 30' 30" West, 399.20 feet;

6. thence North 89° 46' 00" East, 278.00 feet;

7. thence South 00° 30' 30" East, 59.00 feet;

8. thence North 89° 46' 00" East, 70.00 feet, to the Western right-of-way line of the Tidewater Southern Railroad;

9. thence South 00° 30' 30" East, along said Railroad right-of-way, 1037.28 feet, to the point of beginning, containing 55.027 Acres, more or less.



85 MODESTO INDUSTRIAL PARK ADDITION
FILED 3/10/1959 INST. 6807

BASIS OF BEARING: S 00° 30' 15" E FOR THE EAST LINE OF THIS ANNEXATION, AS PER MAP FILED 6/2/1970, IN BOOK 9 OF PARCEL MAPS, PAGE 8, STANISLAUS COUNTY RECORDS.

— — — PREVIOUS ANNEXATION BOUNDARY

WINMOORE WAY ANNEXATION

54.870 ACRES

MK 7-26-78
MK 10/4/78

5-A-382

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 6, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefki
Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED:

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-108

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (EAST COOLIDGE NO. 2)

WHEREAS, there has been annexed to the City of Modesto by Resolution of the Board of Supervisors of the County of Stanislaus adopted on December 19, 1978, certain territory known as East Coolidge No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in East Coolidge No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as East Coolidge No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 194.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, March 27, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southeast corner of the annexation at the west line of Rose Avenue.

(2) The southwest corner of the annexation at the east line of Coffee Road.

(3) The northeast corner of the annexation at the intersection of Briggsmore Avenue and Water Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 194, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

EAST COOLIDGE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15 and the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records, said point being the intersection of Briggsmore Avenue and Rose Avenue:

1. thence along the existing City Limits along Rose Avenue and the Western line of ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, South 00° 40' 00" East, 76.96 feet, to the Northwestern corner of ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records;

2. thence continuing along the existing City Limits along said avenue and the Western line of said ADDITION (225), South 00° 40' 00" East, 643.78 feet, to the Northwest corner of KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records;

3. thence along the existing City Limits along said avenue and the Western line of said ADDITION (179), South 00° 40' 00" East, 346.35 feet, to the Northeastern corner of EAST ORANGEBURG NO. 5 ADDITION (271), as per description filed June 22, 1971, as Instrument 23063, Stanislaus County Records;

4. thence along the existing City Limits and the Northern line of said ADDITION (271), South 89° 50' 00" West, 1311.94 feet, to the Northwest corner of EAST ORANGEBURG NO. 4 ADDITION (270), as per description filed May 24, 1971, as Instrument 18983, Stanislaus County Records;

5. thence along the existing City Limits and the Northern line of said ADDITION (270), South 89° 52' 15" West, 1314.27 feet, to the center line of 90.00 foot Coffee Road;

6. thence along the existing City Limits along the center line of said road and an Eastern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 00° 30' 00" West, 329.35 feet, to the intersection of 90.00 foot Coffee Road and 60.00 foot East Coolidge Avenue and the Southwest corner of COFFEE-COOLIDGE ADDITION (358), as per description filed August 8, 1977, as Instrument 11260, Stanislaus County Records;

7. thence along the existing City Limits and said avenue along the Southern line of said ADDITION (358), North 89° 52' 00" East, 274.00 feet, to the intersection of the center lines of 60.00 foot East Coolidge Avenue and 50.00 foot Water Street and the Southeast corner of said ADDITION (358);

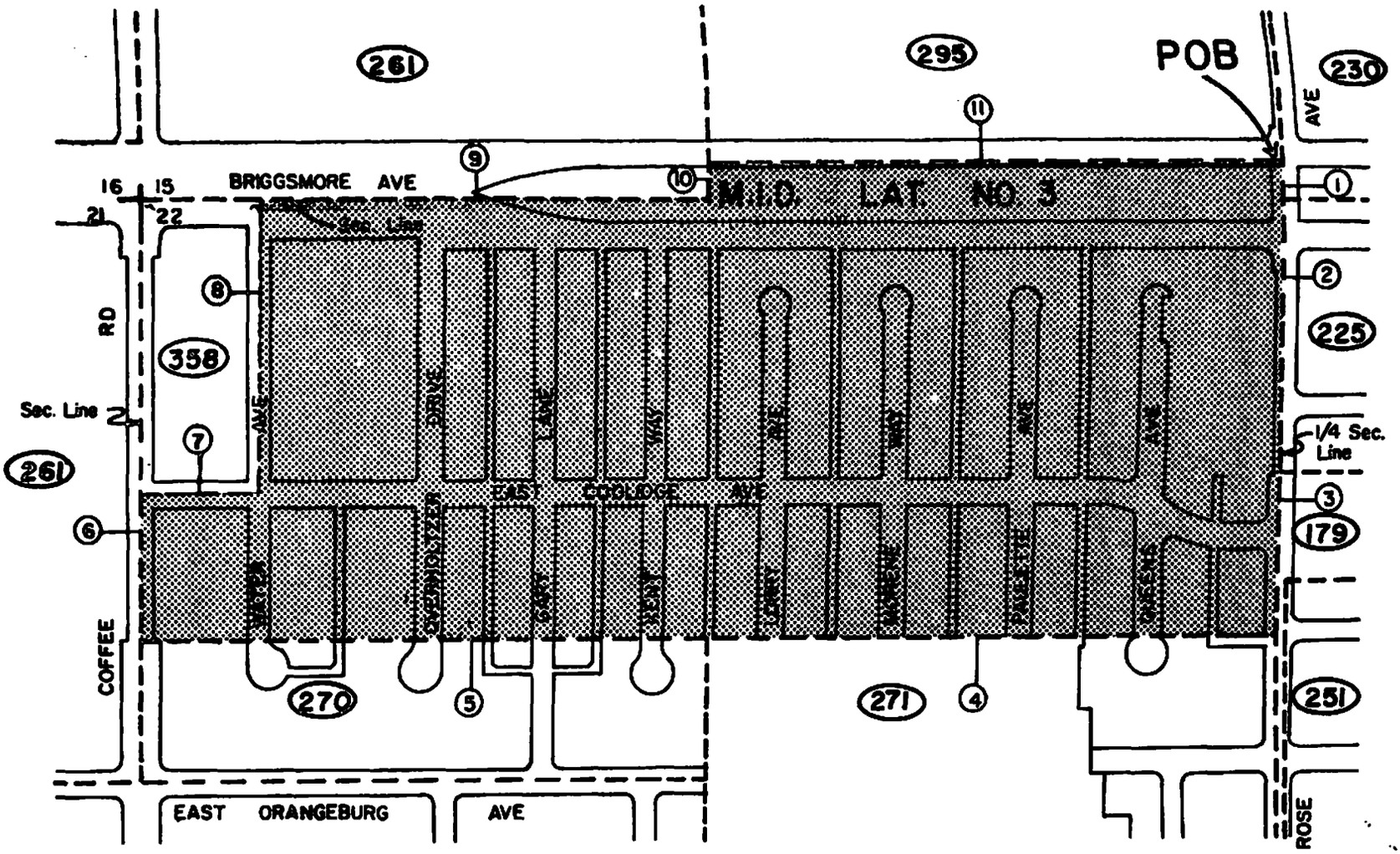
8. thence along the existing City Limits and 50.00 foot Water Street along the Eastern line of said ADDITION (358), North 00° 30' 00" West, 659.20 feet, to the Northern line of Section 22 and the Northwest corner of said ADDITION (358);

43781

3

BASIS OF BEARING: N 00° 30' 00" W FOR A WESTERN LINE OF THIS ADDITION, AS PER MAP FILED 11-19-65 IN VOL. 1 OF PARCEL MAPS, PAGE 5, STANISLAUS COUNTY RECORDS.

1" = 400'



(179) KIENITZ
Filed 7-27-65, Inst. 28973

(225) ROSE ACRES NO. 3
Filed 1-24-69, Inst. 2734

(230) ROSE ACRES NO.4
Filed 5-2-69, Inst. 15074

(251) GREENFIELD
Filed 4-17-70, Inst. 12047

(261) MEMORIAL HOSPITAL NORTH
Filed 11-4-70, Inst. 36348

(270) EAST ORANGEBURG NO.4
Filed 5-24-71, Inst. 18983

(271) EAST ORANGEBURG NO.5
Filed 6-22-71, Inst. 23063

(295) ROSE ACRES NO.5
Filed 8-15-72, Inst. 6329

(358) COFFEE-COOLIDGE
Filed 8-16-77, Inst. 11260

1.	S 00° 40' 00"	E	76.96
2.	S 00° 40' 00"	E	643.78
3.	S 00° 40' 00"	E	346.35
4.	S 89° 50' 00"	W	1311.94
5.	S 89° 52' 15"	W	1314.27
6.	N 00° 30' 00"	W	329.35
7.	N 89° 52' 00"	E	274.00
8.	N 00° 30' 00"	W	659.20
9.	N 89° 49' 00"	E	1037.30
10.	N 00° 40' 00"	W	77.84
11.	N 89° 50' 00"	E	1312.03

REFERENCES ARE TO STANISLAUS COUNTY RECORDS.

---- PREVIOUS ANNEX. BOUNDARY

EAST COOLIDGE NO.2 ADDITION

57.792 Acres.

REVISED 9-13-72
GWL mk 1-9-78

5-A-280

9. thence along the existing City Limits and along a Southern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 89° 49' 00" East, 1037.30 feet to a Southeastern corner of said ADDITION (261);

10. thence along the existing City Limits along an Eastern line of said ADDITION (261), North 00° 40' 00" West, 77.84 feet, to the North right-of-way line of M. I. D. Lateral No. 3 and the Southwest corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records;

11. thence along the existing City Limits along the Southern line of said ADDITION (295), North 89° 50' 00" East, 1312.03 feet, to the point of beginning, containing 57.792 Acres, more or less.

A3781

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 6, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED:

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-109

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (CHEATHAM DRIVE)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-11 on January 2, 19 79, certain territory known as Cheatham Drive Annexation, and

WHEREAS, the inclusion of the area contained in Cheatham Drive Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Cheatham Drive Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 195.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, March 27, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the annexation at the west line of Roselawn Avenue.

(2) 165 feet south of the northeast corner of the annexation along the west line of Roselawn Avenue.

(3) The southeast corner of the annexation at the west line of Roselawn Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 195, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CHEATHAM DRIVE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the ROUSE ADDITION (215), as per description filed June 4, 1968, as Instrument 17171, Stanislaus County Records;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (215), South 00° 03' 00" East, 330.00 feet, to a Northeastern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (149), South 89° 45' 00" West, 395.58 feet;

3. thence leaving the existing City Limits, North 00° 03' 00" West, 330.00 feet;

4. thence North 89° 45' 00" East, 395.58 feet, to the point of beginning, containing 3.073 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 6, 19 79, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: February 7, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-110

A RESOLUTION APPROVING THE FINAL MAP OF THE VINEWOOD SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, The Vinewood Apartments, a limited partnership

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.108 acres, known as the Vinewood Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 21st day of February, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Vinewood Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Long, who moved its adoption, which motion being duly seconded by Council-

member Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-111

A RESOLUTION AMENDING SECTION 1.4 RELATING TO FAIR EMPLOYMENT PERSONNEL POLICY, SECTION 1.7 RELATING TO DEFINITIONS, AND ALL OF RULE 17 ENTITLED "EMPLOYER-EMPLOYEE RELATIONS PROCEDURES" OF THE PERSONNEL RULES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Manager has recommended an amendment to Section 1.4 relating to fair employment personnel policy, Section 1.7 relating to definitions, and all of Rule 17 entitled "Employer-Employee Relations Procedures", and

WHEREAS, the City Council has reviewed the amendment of Section 1.4, Section 1.7 and all of Rule 17 of the Personnel Rules as recommended by the City Manager and finds that said proposed amendments promote the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 1.4 of the Personnel Rules be amended to read as follows:

1.4 Fair Employment Personnel Policy

(a) Employment and promotion by the City of Modesto shall be based on merit and fitness, free of personal and political considerations, and in no way shall be affected or influenced by race, religious creed, color, national origin, ancestry, age, handicap or sex.

(b) The California Fair Employment Practice Act shall govern all City employment and employment practices.

SECTION 2. That Section 1.7 of the Personnel Rules be amended to read as follows:

1.7 Definitions

The words and terms used in these rules shall have the meaning indicated as follows, unless the context clearly indicates otherwise:

(a) Advancement. A salary increase within the limits of the salary range established for the class.

(b) Allocation. The assignment of a position to its class.

(c) Anniversary Date. The anniversary of the date an employee was appointed to his current position.

(d) Applicant. A person who has made formal application for employment.

(e) Appointment. The offer to a person and his acceptance of a position.

(f) Appointing Authority. The Council, City Manager, or persons delegated authority to make appointments or remove persons from city service.

(g) Candidate. An applicant whose application has passed initial screening, and who is admitted to examination.

(h) Class or Classes of Positions. A group of positions having duties and responsibilities sufficiently similar that the same title, examples of duties, and requirements may be applied.

(i) Classification Plan. The arrangement of positions into classes, with titles and specifications describing each class.

(j) Classified Service. All positions in the city service EXCEPT: (1) all elected officers; (2) City Manager, Deputy City Manager (as revised July 6, 1965), City Attorney, City Clerk and Auditor, and all heads of departments; (3) all members of boards and commissions; (4) persons employed as unskilled laborers; (5) positions in any class or grade created for a special or temporary purpose for a period of not longer than 90 days in any one fiscal year; (6) persons employed to render professional, scientific, technical or expert services of any occasional or exceptional character; (7) part-time employees paid on an hourly or per diem basis.

(k) Commission. The Personnel Commission, established by Section 1108 of the City Charter.

(l) Consult/Consultation in Good Faith. "Consult/Consultation in Good Faith" means to communicate orally or in writing for the purpose of presenting and obtaining views or advising of intended actions; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals in an endeavor to reach agreement.

(m) Continuous Service. Employment by the City, uninterrupted from the date of appointment, except by authorized absence with pay.

(n) Demotion. A change of an employee from a position in one class to a position in another class having lesser duties and responsibilities, lower qualifications, and a lower range of pay. A reduction in pay within the same class shall not be considered a demotion.

(o) Dismissal. The separation from employment of an employee by an appointing authority for cause.

(p) Eligible. A person whose name is on an appropriate eligible list and who is not ineligible for appointment for any reason.

(q) Eligible List. A record of the names of persons who have qualified, through examination, for employment in a specific class.

(r) Examination. A test or group of tests and evaluations used to determine eligibility and to rank candidates for employment in a class.

(s) Lay-off. Termination of service because of lack of work, lack of funds, or in the interests of economy, without fault on the part of the employee involved.

(t) Leave of Absence. Permission to be absent from duty without pay for a specified period and purpose, with the right to return before or at the expiration of the period.

(u) Modesto Municipal Code. Chapter 5 of Title II of the Modesto Municipal Code plus any other provisions of the Modesto Municipal Code which deal with the City's personnel system.

(v) Original Appointment. The first appointment of an employee to a position in the city service.

(w) Position. A combination of duties regularly assigned to be performed by one person.

(x) Probationary Period. A working test period during which an employee appointed from an eligible list is required to demonstrate his fitness for the class by actual performance of the duties of his position.

(y) Probationary Status. The status of an employee who has been appointed from an eligible list, but has not completed the prescribed probationary period.

(z) Probationer. An employee who has probationary status.

(aa) Promotion. A change in employment status from one class to another class with a higher range of pay.

(ab) Promotional Examination. An examination in which competition is limited to regular employees in the classified service.

(ac) Promotional List. An eligible list resulting from a promotional examination.

(ad) Proof of Employee Support. "Proof of Employee Support" means (1) an authorization card recently signed and personally dated by each employee, or (2) an authorization petition or petitions recently signed and personally dated by each employee, or (3) employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorizations for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The words "recently signed" shall mean within sixty (60) days prior to the filing of a petition or an authorization card. The only authorization which shall be considered as proof of employee support hereunder shall be the authorization last signed by an employee. The City Manager shall arrange for the City Clerk/Auditor to verify the information on authorization cards and petitions.

(ae) Provisional Employee. An employee who is appointed without examination to a regular position in the classified service for which no eligible list exists.

(af) Recognized Employee Organization. "Recognized Employee Organization" means an employee organization which has been formally recognized by the City as the employee organization that represents the employees in an appropriate representation unit.

(ag) Reduction. A salary decrease within the pay range for the class.

(ah) Regular Employee. An employee who has satisfactorily completed his initial probationary period and has been retained in the classified service.

(ai) Regular Position. A position in the classified service which requires, or is likely to require, the services of an employee for more than six months.

(aj) Release. Separation of an employee from the service during or at the close of the probationary period.

(ak) Reinstatement. The reappointment without examination of an employee who has resigned in good standing.

(al) Resignation. The voluntary separation of an employee from his position.

(am) Separation. Any termination of employment.

(an) Status. The condition of an employee's present appointment, such as temporary, provisional, probationary, or regular.

(ao) Suspension. An involuntary absence without pay, imposed for disciplinary purposes, or pending investigation of charges.

(ap) Temporary Appointment. An appointment for a limited period.

(aq) Transfer. A change from one position to another within the same or to a comparable class.

(ar) Unclassified Service. The noncompetitive service. Positions in the unclassified service are those listed as exceptions in definition (j) above.

(as) Vacancy or Vacant Position. Any unfilled position in the city service.

SECTION 3. That all of Rule 17 of the Personnel Rules be amended to read as follows:

RULE 17 - EMPLOYER-EMPLOYEE RELATIONS PROCEDURES

17.1 Purpose and Objectives of Employer-Employee Relations Procedures

It is the purpose of these procedures to promote the improvement of personnel management and employer-employee relations within the City service by providing a uniform basis for recognizing the right of City employees to join organizations of their own choice and be represented by such organizations in their employment relationships with the City of Modesto. Nothing contained herein shall be deemed to supersede other applicable provisions of State law and of the Charter, ordinances and these Personnel Rules of the City of Modesto. In the event that there are other procedures in existence which may be used to resolve the problem, such other procedures shall be deemed exclusive for the resolution of such problem. These procedures are intended to establish uniform and orderly methods of communications between employees and the City of Modesto by which they are employed.

Nothing in these procedures shall be interpreted in such a manner as to interfere with the right of the City to manage the affairs of the City in the most economical and efficient manner and in the best interests of its citizens.

17.2 Right to Join or Abstain

Employees of the City of Modesto, except as may be otherwise provided by law, shall have the right to form, join, and participate in the activities of employee or labor organizations [hereinafter referred to as employee organizations] of their own choosing as provided in Sections 3500 to 3509 of the Government Code of the State of California. Employees of the City of Modesto shall also have the right to refuse to join or participate in the activities of any employee organizations and shall have the right to represent themselves individually in their employment relations with the city. Employees shall not be discriminated against, granted preferential treatment, or have equitable treatment withheld because of membership or nonmembership in employee organizations.

17.3 Right to Present Grievances and Recommendations

All employees shall have the right, as provided in the laws of the State of California, to present grievances and recommendations regarding wages, salaries, hours and working conditions to the City Manager and to discuss the same with the City Manager through employee organizations but shall not have the right to strike or to recognize a picket line of an employee organization while in the course of the performance of their official duties.

17.4 Grievance Procedure Under Labor and Government Codes

In presenting and discussing grievances under Sections 1960 to 1963 of the Labor Code or under Section 3500 to 3509 of the Government Code, all employees and representatives of employee organizations shall first follow the grievance procedure set forth in Rule 16.

17.5 Filing of Recognition Petition by Employee Organization

An employee organization that seeks to be formally recognized as the Recognized Employee Organization representing the employees in an appropriate unit shall file a petition with the City Manager containing the following information and documentation:

(a) Name and address of the employee organization.

(b) Names and titles of its officers.

(c) Names of the organization's representatives who are authorized to speak on behalf of the organization.

(d) A statement that the organization has, as one of its primary purposes, representing employees of the City of Modesto in their employment relations with the City.

(e) A statement whether the organization is a chapter of, or affiliated, directly or indirectly in any manner, with a local, regional, state, national or international organization, and, if so, the name and address of each such other organization.

(f) Certified copies of the organization's constitution and by-laws.

(g) A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the organization for any purpose.

(h) A statement that the organization has no restriction on membership based on race, color, creed, handicap, sex or national origin.

(i) The position classifications of employees in the unit claimed to be appropriate and the approximate number of member employees therein.

(j) A statement that the organization has in its possession proof of employee support, as defined in these Personnel Rules to establish that a majority of the employees in the unit claimed to be appropriate have designated the organization to represent them in their employment relations with the City. Such written proof shall be submitted for confirmation to the City Manager.

(k) A request that the City Manager formally recognize the petitioner as the Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith.

The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete, under penalty of perjury, by the duly authorized officer(s) of the organization executing it.

An employee organization which is certified to represent the employees in an established appropriate unit on February 6, 1979, shall be deemed at that time to have the status under these Rules of a formally Recognized Employee Organization representing the employees in said established appropriate unit.

17.6 City Response to Recognition Petition

Upon receipt of the Petition, the City Manager shall determine whether:

(a) There has been compliance with the requirements of Rule 17.5, and

(b) The proposed representation unit is an appropriate unit in accordance with Rule 17.10.

If an affirmative determination is made by the City Manager on the foregoing two matters, he shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit and shall take no action on said request for thirty (30) days thereafter. If either of the foregoing matters are not affirmatively determined, the City Manager shall offer to consult thereon with such petitioning employee organization, and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefor in writing. The petitioning employee organization may appeal such determination in accordance with Rule 17.12.

17.7 Open Period for Filing Challenging Petition

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally recognized as the Recognized Employee Organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some but not all the classifications set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty-five (35) percent and otherwise in the same form and manner as set forth in Rule 17.5. If such challenging petition seeks establishment of an over-lapping unit, the City Manager shall call for a hearing on such over-lapping petitions for the purpose of ascertaining the more appropriate unit, at which time the petitioning employee organizations shall be heard. Thereafter, the City Manager shall determine the appropriate unit or units in accordance with the standards in Rule 17.10. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the City Manager to amend their petitions to conform to such determination or to appeal such determination pursuant to Rule 17.12.

17.8 Election Procedure

The City Manager shall arrange for a secret ballot election to be conducted by the City Clerk/Auditor, in accordance with the provisions of this Rule. All employee organizations who have duly submitted petitions which have been determined to be in conformance with this Rule shall be included on ballot. Employees entitled to vote in such election shall be those persons employed in regular positions within the designated appropriate unit who were employed on the date of the election, including such employees who are absent due to holiday, vacation, sick leave or other authorized leave. An employee organization shall be formally recognized as the Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast; the rules governing an initial election being applicable to a run-off election.

There shall be no more than one valid initial election under these Rules pursuant to any petition in a 12-month period affecting the same unit.

Costs of conducting elections shall be borne in equal shares by each employee organization appearing on the ballot.

17.9 Procedure for Decertification of Recognized Employee Organization

A Decertification Petition alleging that the incumbent Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with the City Manager only at least one full year after the initial recognition and during the thirty (30) day period commencing one hundred eighty (180) days prior to the termination date of a Memorandum of Understanding. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

(a) The name, address and telephone number of the petitioner authorized to receive notices or requests for further information.

(b) The name of the established appropriate unit and of the incumbent Recognized Employee Organization sought to be decertified as the representative of that unit.

(c) An allegation that the incumbent Recognized Employee Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.

(d) Proof that at least thirty-five (35) percent of the employees in the established Recognized Employee Organization no longer desire to be represented by that organization. Such proof shall consist of a petition or petitions recently signed and dated by each employee and shall be submitted for confirmation to the City Manager within the time limits specified in the first paragraph of Rule 17.9. The words "recently signed" shall mean within sixty (60) days prior to the filing of a petition.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a Petition hereunder in the form of a Recognition Petition that evidences proof of employee support of at least thirty-five (35) percent and otherwise conforms to the requirements of Rule 17.5.

The City Manager shall initially determine whether the Petition has been filed in compliance with the applicable provisions of this Rule. If his determination is in the negative, he shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization, and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons therefor in writing. The petitioning

employees or employee organization may appeal such determination in accordance with Rule 17.12. If the determination of the City Manager is in the affirmative, or if his negative determination is reversed on appeal, he shall give written notice of such Decertification or Recognition Petition to the incumbent Recognized Employee Organization and to unit employees.

The City Manager shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after such notice to determine the wishes of unit employees as to the question of decertification, and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with Rule 17.8.

17.10 Policy and Standards for Determination of Appropriate Units

The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of the City and its compatibility with the primary responsibility of the City and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest considerations. These policy objectives require that the appropriate unit shall be the broadest feasible grouping of positions that share an identifiable community of interest. Factors to be considered shall be:

(a) History of representation in the City and similar employment.

(b) Similarity of the general kinds of work performed, types of qualifications required, and the general working conditions.

(c) Consistency with the organizational patterns of the City.

(d) No unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.

(e) Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.

(f) Effect on the classification structure and impact on the stability of the employer-employee relationship of dividing a single or related classifications among two or more units.

The City Manager shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate or delete modified classifications or positions from units in accordance with the provisions of this Rule.

17.11 Procedure for Modification of Established Appropriate Units

Requests by employee organizations for modifications of established appropriate units may be considered by the City Manager only during the period specified in Rule 17.9. Such requests shall be submitted in the form of a Recognition Petition, and, in addition to the requirements set forth in Rule 17.5, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in Rule 17.10. The City Manager shall process such petitions as other Recognition Petitions under this Rule.

The City Manager may on his own motion propose during the period specified in Rule 17.9, that an established unit be modified. The City Manager shall give written notice of the proposed modification(s) to any affected employee organization and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter the City Manager shall determine the composition of the appropriate unit or units in accordance with 17.10 of this Rule, and shall give written notice of such determination to the affected employee organizations. The City Manager's determination may be appealed as provided in 17.12 of this Rule. If a unit is modified pursuant to the motion of the City Manager hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Recognized Employee Organization for such new appropriate unit or units pursuant to 17.5 hereof.

Proposals for clarification of existing established units may be made at any time and shall be determined by the City Manager in accordance with 17.10 of the Rule.

17.12 Appeals

An employee organization aggrieved by a determination of the City Manager that a Determination of an Appropriate Unit (Rule 17.10); a Recognition Petition (Rule 17.5); Challenging Petition (Rule 17.7) or Decertification or Recognition Petition (Rule 17.9) has not been filed in compliance with the applicable provisions of these Personnel Rules, may, within fifteen (15) days of notice of such determination, appeal the determination to the City Council for final decision.

Employees aggrieved by a determination of the City Manager that a Decertification Petition (Rule 17.9) has not been filed in compliance with the applicable provisions of these Personnel Rules, may, within fifteen (15) days of notice of such determination, appeal the determination to the City Council for final decision.

Appeals to the City Council shall be filed in writing with the City Clerk, and a copy thereof served on the City Manager. The City Council shall commence to consider the matter within thirty (30) days of the filing of the appeal. The City Council may, in its discretion, refer the dispute to a third party hearing process. Any decision of the City Council determining the substance of the dispute shall be final and binding.

17.13 Submission of Current Information by Recognized Employee Organizations

All changes in the information filed with the City by a Recognized Employee Organization under items a. through h. of its Recognition Petition under Rule 17.5 shall be submitted in writing to the City Manager within fourteen (14) days of such change.

17.14 Payroll Deductions on Behalf of Employee Organizations

Upon formal recognition by the City of a Recognized Employee Organization under these Personnel Rules, only such Recognized Employee Organization may be provided payroll deductions of membership dues and insurance premiums for plans sponsored by such organization upon the written authorization of employees in the unit represented by the Recognized Employee Organization on forms provided therefor by the City. The providing of such service to the Recognized Employee Organization by the City shall be contingent upon and in accordance with the provisions of Memoranda of Understanding and/or applicable administrative procedures.

17.15 Employee Organization Activities -- Use of City Resources

Employee or labor organizations which have as their primary purpose the representation of their members in their relations with the City shall conduct the recruiting of members, communicate with members and collect dues at times other than during working or duty hours and at locations other than on City working premises. Certified employee organizations may be granted the use of City facilities for meetings composed principally of this City's employees provided such meetings are outside regularly scheduled working hours and provided space is available. Employee or labor organizations may post organizational material or bulletins in spaces designated by the City Manager. The City Manager reserves the right to disapprove the posting of any material.

17.16 City Manager Designated as "Governing Body" and Representative of the City Under Labor Code and Government Code Provisions

Labor Code Provisions. For the purposes of Section 1962 of the Labor Code of the State of California, the City Manager is designated as the "governing body" to whom employees of the Fire Department or any other department or division of the City or employee organizations may present grievances and recommendations regarding wages, salaries, hours and working conditions and with whom they shall discuss the same.

Government Code Provisions. For the purposes of Sections 3500 to 3509 of the Government Code of the State of California, the City Manager is further designated as the representative of the City who shall meet and confer with representatives of employee organizations upon request, and who shall consider as fully as he deems reasonable such presentations as are made by employee organizations on behalf of their members prior to arriving at any determination of policy or course of action authorized by the City Charter, the Modesto Municipal Code or these Personnel Rules.

17.17 Conferences

The City Manager or his duly designated representative shall meet and confer upon request with both individual employees and with duly certified representatives of employee organizations for the purpose of considering and discussing as fully as he deems reasonable such presentations as are made. If deemed necessary, the City Manager shall establish rules and procedures for the conduct of meetings between an employee organization and the City.

17.18 Rules for Presenting Requests re Benefits

Any requests by employees or employee organizations regarding salaries and wages, hours of work, or other benefits shall be submitted in writing to the City Manager prior to April 15 of any fiscal year, in order that such requests may be considered at the time the budget is being prepared.

17.19 Rules no Abrogation of Rights

By the adoption of the provisions of these Personnel Rules the city shall not be deemed to abrogate its right to establish policy and procedure and make whatever changes it considers necessary for the good of the city. The provisions of these Personnel Rules are not intended to conflict with the provisions of Chapter 10, Division 4, Title 1 of the Government Code of the State of California (Sections 3500, et seq.) as amended.

17.20 Designation of Management and Confidential Employees

The City Manager shall, based upon the duties and responsibilities of each employee of the city, designate those employees who are management and confidential employees.

The City Manager's determination of which employees of the city are management employees shall be based upon the following criteria:

(a) The employee has executive or management duties which requires the employee to exercise independent judgment concerning the implementation of policy, or

(b) The employee performs supervisory responsibilities, including the review of work of subordinate employees.

The City Manager's determination of which employees of the city are confidential employees shall be based upon the following criteria:

(a) The employee prepares information for management employees which is related to employer-employee relations, or

(b) The employee has access to information prepared for management employees which is related to employer-employee relations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-112

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA MODIFYING 5TH AND H STREETS SIGNALS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State of California

for modifying 5th and H Streets signals

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-113

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $4,800 FROM XING GATES-WOODROW ACCOUNT TO 5TH & H STREET SIGNAL MODIFICATION ACCOUNT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Capital Outlay Xing Gate/Woodrow	$4,800
TO:	Capital Outlay 5th & H Street Signal Modification	$4,800

State has proposed mast arm signal to reduce collisions. Matter did not arise until October, well after budget closed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-114

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $16,750 FROM GENERAL RESERVE FOR SANTA ROSA AVENUE TRUNK SEWER REPAIR

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 212)	$16,750
TO:	Santa Rosa Ave. Trunk Repair (6364 212)	$16,750

Provides for the emergency repairs to the 24" Santa Rosa Avenue trunk sewer which failed near Oregon Drive.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-115

A RESOLUTION DECLARING AN URGENT NECESSITY FOR THE PRESERVATION OF HEALTH AND PROPERTY AND AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER WITHOUT COMPETITIVE BIDDING TO REED TRENCHING, INC. FOR EMERGENCY REPAIRS TO THE CITY OF MODESTO TRUNK SEWER ON SANTA ROSA AVENUE AT OREGON DRIVE.

WHEREAS, on Thursday, January 18, 1979, the City of Modesto trunk sewer on Santa Rosa Avenue at Oregon Drive collapsed and the trunk line filled with dirt and broken pipe material causing the raw sewage to overflow at an adjacent manhole, and

WHEREAS, raw sewage overflowing into the adjacent public streets created an immediate hazard to the public health and a danger to adjacent properties that had to be alleviated, and

WHEREAS, it was determined that Reed's Trenching, Inc. had employees and equipment available to assist the City of Modesto's Public Works Department personnel to work around the clock to replace the failed trunk sewer as soon as possible, and

WHEREAS, said repair work had to be performed immediately and could not wait for prior Council approval or competitive bidding,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the issuance of a purchase order to Reed's Trenching, Inc. for $16,041.23 to cover the cost of the work performed by Reed's Trenching, Inc. in replacing the collapsed portion of the trunk sewer line on Santa Rosa Avenue at Oregon Drive.

BE IT FURTHER RESOLVED that this Council finds that the work performed by Reed's Trenching, Inc. was of urgent necessity for the preservation of health and property because the collapse of the trunk sewer on Santa Rosa Avenue at Oregon Drive on Thursday, January 18, 1979, caused raw sewage to overflow at an adjacent manhole into the public streets endangering the public health and adjacent properties, and the repairing said collapsed sewer line could not wait for prior Council approval or competitive bidding.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-116

A RESOLUTION SETTING TIME AND PLACE FOR HEARING

WHEREAS, an appeal by Local 748, Teamsters from Decision and Order No. 9-78 of the Board of Building Appeals was filed on January 22, 1978, and,

WHEREAS, at the time the appeal was filed more than 15 days had passed since the adoption of said Decision and Order on December 21, 1978,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds that no interests of any third party or the general public have been harmed or jeopardized by the untimely filing of the appeal,

BE IT FURTHER RESOLVED that the Council of the City of Modesto waives the untimeliness of the appeal and that February 27, 1979 at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Local 748, Teamsters from Decision and Order No. 9-78 of the Board of Building Appeals.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-117

A RESOLUTION WAIVING THE ONE YEAR LIMITATION ON A NEW APPLICATION BY PML INC. FOR AN AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, TO RECLASSIFY CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, Section 10-2.2103 of the Modesto Municipal Code provides that no application for a zone boundary change shall be accepted by the Planning Commission for any property or area for which a previous application for a zone boundary change has been denied until one year has elapsed from the date of such denial, except that the City Council or the Planning Commission may waive the one year limitation, and

WHEREAS, an application for a zone boundary change to amend Section 7-3-9 of the Zoning Map was filed by Larry P. Ward on March 17, 1978, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the west side of Carver Road north of Sheldon Avenue in the City of Modesto, and

WHEREAS, at a public hearing hold on May 22, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council of the City of Modesto denied the requested rezoning, and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting held on February 13, 1979, determined that it was appropriate to waive the one year limitation in order that the new owner of said property, to wit, PML Inc., could submit a new application to the Planning Commission for an amendment to Section 7-3-9 of the Zoning Map to reclassify the property for which rezoning had been denied,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, it hereby waives the one year limitation for PML Inc., the new owner of the hereinafter described property, to submit a new application to the Planning Commission for an amendment to Section 7-3-9 of the Zoning Map to reclassify the following described property:

> All that portion of Section 7, Township 3 South, Range 9 East of the Mount Diablo Base and Meridian as follows:
>
> The Easterly 110 feet of the Northerly 130 feet and the Easterly 110 feet of the Southerly 65 feet of Parcel 2 as shown on the map filed in Book 25 of Parcel Maps at Page 42 including the Westerly 30 feet of Carver Road immediately to the above described properties.

BE IT FURTHER RESOLVED that this Council finds and determines that the waiving of the one year limitation will not adversely affect the interest of the general public.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William L. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-118

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF AN APPEAL TO A PLANNING COMMISSION DECISION REGARDING A TIME EXTENSION ON P-D(141) (SAM AND JOE RANDY)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 13, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Calvin Moorad representing Sam and Joe Randy, to a Planning Commission decision regarding a time extension on P-D(141).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-119

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PURCHASING AUTOMOTIVE AND HEAVY EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing automotive and heavy equipment (list attached)
copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 13, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** February, 19 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALTERNATIVE SPECIFICATIONS

ITEM		ACCOUNT	QUANTITY	DESCRIPTION	PAGE
1A.		[illegible]	[illegible]	[illegible] utility pickup	
1B.		[illegible]	[illegible]	[illegible] utility pickup w/tool box	
1C.		[illegible]	[illegible]	[illegible] pickup w/camper shell	
1D.		[illegible]	[illegible]	1/2 [illegible] ton pickups	
2A.	*	[illegible]	[illegible]	[illegible] Fairlane sedan	
		[illegible]	[illegible]	[illegible] Fairlane sedan	
		[illegible]	[illegible]	[illegible] Fairlane sedan	
3A.	*	[illegible]	[illegible]	[illegible] chassis for animal control	
4A.	*	[illegible]	[illegible]	3/4 ton pickup for Sewer Division	
5A.	*	[illegible]	[illegible]	[illegible] for Police Department	
6A.	*	[illegible]	[illegible]	[illegible] with van for Parks Department	
7A.		[illegible]	[illegible]	[illegible] with utility body and [illegible] system	

MODESTO CITY COUNCIL
RESOLUTION NO. 79-120

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPAINTING STREET LIGHT POLES AND MAST ARMS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for repainting street light poles and mast arms

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on February 27, 1979, at 11:05 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-121

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CLAUS ROAD STORM DRAIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Claus Road storm drain **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 13, 1979, at 2:05 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** February, 19 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-122

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE COMPANY FOR LAKEWOOD AVENUE SEWER TRUNK TRENCH REPAIR, PHASE II

WHEREAS, Resolution No. 79-58 , adopted by the Council of the City of Modesto on January 23, 1979 , approved the plans and specifications for the Lakewood Avenue sewer trunk trench repair, Phase II

and authorized the calling for bids, and

WHEREAS, the bids received for the Lakewood Avenue sewer trunk trench repair, Phase II

were opened at 11:05 a.m. on February 6, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Flintkote Company in the amount of $41,182.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Flintkote Company in the amount of $41,182.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-123

A RESOLUTION DENYING THE APPEAL FILED BY SHEILA H. DUCKWORTH FOR AN AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED ALONG THE SOUTH SIDE OF FLOYD AVENUE WEST OF COFFEE ROAD, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Sheila H. Duckworth on November 21, 1978, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, three separate properties located along the south side of Floyd Avenue west of Coffee Road described as follows:

All that portion of Lot 21 of Coffee Colony in the County of Stanislaus State of California, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on January 13, 1906, in Volume 2 of Maps, at Page 22, described as follows:

PARCEL 1

COMMENCING at a point on the South line of Floyd Avenue, said point being 626 feet West of the intersection of the South line of Floyd Avenue with the West line of Coffee Road, said point being also the Northeast corner of land conveyed to Orville R. Hoover, etux, by Deed recorded April 13, 1962, in Volume 1758 of Official Records, at Page 74; thence South and along the East line of said Hoover land a distance of 135 feet to the Southeast corner thereof and being on the North line of Montgomery Village No. 4 according to the Official Map thereof, filed in the Office of the Recorder of Stanislaus County, California, on April 4, 1961, in Volume 19 of Maps, at Page 63; thence West and along the North line of said Montgomery Village No. 4, a distance of 113 feet to the Southeast corner of land described as Parcel 2 in Deed to Dave Martinez, etux, recorded February 20, 1963, in Volume 1833 of Official Records, at Page 631; thence North and along the East line of said Martinez land, a distance of 135 feet to the Northeast corner thereof and being on the South line of said Floyd Avenue; thence East and along said South line, a distance of 113 feet to the point of beginning.

PARCEL 2

COMMENCING at the intersection of the centerline of Floyd Avenue and Coffee Road; thence West along the centerline of said Floyd Avenue, a distance of 531 feet to a point; thence South 20 feet to a point on the South line of said Floyd Avenue, said point being the Northeast corner of land conveyed to Orville R. Hoover, etux by Deed recorded April 18, 1947, as Instrument No. 10898 and the true point of beginning of this description; thence continue South along the East line of said Hoover land, a distance of 175 feet; thence West and parallel with the South line of said Floyd Avenue, a distance of 100 feet; thence North and parallel with the East line of said Hoover land, a distance of 175 feet to the South line of said Floyd Avenue; thence East along the South line of said Floyd Avenue a distance of 100 feet to the true point of beginning.

PARCEL 3

COMMENCING at a point on the South line of Floyd Avenue, said point being 606 feet West of the intersection of the South line of Floyd Avenue with the West line of Coffee Road, said point being also the Northwest corner of land conveyed to E. H. Gamegan, etux, by Deed recorded June 2, 1954, in Volume 1221 of Official Records, Page 46, as Instrument No. 13950, and the true point of beginning; thence West along the South line of said Floyd Avenue a distance of 20 feet to the Northeast corner of property conveyed to E. H. Gamegan, a married man, by deed recorded July 6, 1961, in Volume 1694 of Official Records, Page 595, as Instrument No. 21410; thence South and along the East line of the last mentioned Gamegan land, a distance of 135 feet to a point on the North boundary line of Montgomery Village No. 4, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on April 4, 1961, in Volume 19 of Maps, at Page 63; thence East and along said North subdivision boundary line, a distance of 20 feet to a point on the West line of the Gamegan land first above referred to; thence North and along said West line 135 feet to the true point of beginning.

PARCEL 4

Beginning at a point in the West line of the County Road, known as Coffee Road, at its intersection with the South line of Floyd Avenue as shown on said map; thence South 0° 50' East and along the West line of Coffee Road, a distance of 100 feet; thence North 89° 26 1/2' West and parallel to the South line of Floyd Avenue, a distance of 231 feet to the true point of beginning of this description; thence continuing North 89° 26 1/2' West, and parallel to the South line of Floyd Avenue, a distance of 75 feet; thence North 0° 50' West and parallel to West line of Coffee Road, a distance of 100 feet to the South line of Floyd Avenue; thence East and along the South line of said Floyd Avenue, a distance of 75 feet; thence South 0° 50' East and parallel to the West line of Coffee Road, a distance of 100 feet to the true point of beginning. Also all of Parcel C as shown on the map filed in Book 7 of Parcel Maps at Page 77 in the Stanislaus County Recorder's Office.

Including also all that portion of street right-of-way situated between the north line of the above described Parcels 1, 2, 3, and 4 and the centerline of Floyd Avenue.

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of December 12, 1978, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 78-243, denied the requested amendment to Section 16-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property described above located along the south side of Floyd Avenue west of Coffee Road in the City of Modesto for the following reasons:

1. R-2 zoning as requested constitutes too great an intrusion into a predominantly single family residential area.

2. The requested R-2 zoning pattern lacks continuity, bypassing three properties which are located integrally with those for which R-2 zoning is sought,

and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by Sheila H. Duckworth by letter dated December 26, 1978, to the decision of the Planning Commission denying her application to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property hereinabove described, located along the south side of Floyd Avenue west of Coffee Road, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on Tuesday, February 13, 1979, and

Whereas, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Sheila H. Duckworth to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the above described property located along the south side of Floyd Avenue west of Coffee Road, in the City of Modesto should be denied for the reasons set forth in Planning Commission Resolution No. 78-243, and quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Sheila H. Duckworth to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 78-243 denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the above described property, located along the south side of Floyd Avenue west of Coffee Road, be denied, for the reasons set forth in Planning Commission Resolution No. 78-243, and quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION

By _____
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-124

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (210).

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Land Bank Financial Services on November 16, 1978, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

A portion of the South half of Lot 9 of SPENCER COLONY, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California on December 16, 1904, in Volume 2 of Maps, at Page 3, described as follows:

BEGINNING at the Northeast corner of the said South half of Lot 9, at a point in the centerline of Franklin Street and running thence South 89° 58' 30" West, 665.68 feet, more or less, to the Northwest corner of the said South half of Lot 9; thence South 0° 10' West, along the West line of said Lot and the centerline of the Modesto Irrigation District canal, 97.05 feet to a point; thence North 89° 58' 30" East, 125 feet to a point; thence South 0° 10; West, 100 feet to a point; thence North 89° 59' East 18.68 feet more or less, to the Northwest corner of Parcel No. 2, as described in the Deed to John P. Winchester, et al, recorded April 18, 1969, in Volume 2270 of Official Records at Page 565, as Instrument No. 13135; thence continue North 89° 59' East, along the North line of said Parcel No. 2, a distance of 171.00 feet to the Southwest corner of the lands heretofore conveyed to Mary A. Webb, et al, by Deed dated January 4, 1943, and recorded January 7, 1943, in Volume 764 of Official Records, at Page 72; thence North 0° 10' East, along the West line of said premises conveyed to Webb, 140 feet to a point, which is 57.05 feet South of the North line of the South half of said Lot 9; thence North 89° 59' East, 351 feet to the centerline of Franklin Street; thence North along said centerline, 57.05 feet to the point of beginning.

WHEREAS, after public hearing held on February 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The project as proposed would provide a needed addition to the senior citizen housing inventory in the City of Modesto.
2. The dwelling unit density for the project will not cause traffic problems due to the limited use of automobiles by senior citizens and because the project is served by public bus.
3. The project is compatible with surrounding residential zoning area.

WHEREAS, after a public hearing held on February 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Land Bank Financial Services for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1810-C.S. on the 13th day of February, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (210).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (210), is hereby approved in accordance with the plan titled "21-Unit Apartment Complex for Land Bank Financial Services", as amended in red on its face, stamped approved by the Planning Commission on December 19, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development be in accordance with the above mentioned plot plan.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the developer shall dedicate to the City of Modesto a street tree planting easement along the Vine Street frontages in accordance with the requirements of the Director of Parks and Recreation.

5. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontages with the number of trees to be determined by the Director of Public Works.

6. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

8. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

9. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the property lines as shown on the plot plan.

10. That all signs shall comply with the sign requirements of the R-2 Zone.

11. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

12. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

13. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

14. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans and dedications shall be made prior to occupancy of the premises as required by the Director of Public Works, or by July 1, 1981, whichever occurs first.

15. That the developer shall dedicate and improve Vine Street to residential street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City of Modesto, whichever occurs first.

16. That the developer shall improve Franklin Street to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City of Modesto, whichever occurs first.

17. That this development be designed specifically for occupancy by the elderly, and to the extent permitted by law, occupancy shall be limited to persons 62 years of age and older, their spouses, and persons who are physically handicapped.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (210) :

That the entire construction program be accomplished in one phase with construction to begin on or before July 1, 1981, and to be completed not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (210) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Loucks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-125

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAND BANK FINANCIAL SERVICES)

WHEREAS, on February 13, 1979, the City Council adopted Ordinance No. 1810 -C.S. giving approval to a project relating to an amendment to Section Map 31-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (210), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 31-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (210).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-126

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(212). (HIAN INVESTMENTS)

WHEREAS, a verified application for an amendment to Section 13-3-8 of the Zoning Map was filed by Hian Investments on October 23, 1978, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to permit development of a commercial/office complex at the northeast corner of Sisk Road and Brenner Way and an apartment complex at the northwest corner of Brenner Way and Lou Ann Drive, the following described property:

R-1 TO P-D (Commercial/Offices)

All that portion of the northwest one-quarter of Section 13, Township 3 South, Range 8 East, M.D.B. & M., described as follows:

The Northwest corner of Sisk Road and Brenner Way, commencing at the corner of Sisk Road and Brenner Way, thence North 43° 11' 14" West, 399.34 feet, to a point on the Northwest corner of said parcel; thence North 46° 31' East, 475.00 feet to the most Northerly corner thereof; thence North 43° 11' 14" West, 401.95 feet to a point in the northwestern line of Brenner Way (60.00') thence South 46° 31' West, 474.56 feet to the point of beginning. Including the northwesterly 30 feet of Brenner Way immediately adjacent to the southeasterly line of said described property.

Including also all that portion of Sisk Road situated between the Southwesterly line of the above described property and the centerline of said Sisk Road.

R-1 TO P-D (Residential)

Beginning at the most northerly corner of the before described proposed H-1 parcel, thence North 46° 31' East, 345.28 feet to the most northerly corner thereof; thence South 43° 29' East, 363.00 feet to the most easterly corner thereof; thence along the northwestern line of Brenner Way following two courses and distances (1) south 46° 52' 30" West, 298.73 feet; (2) South 25° 13' West, 107.00 feet to the Southerly corner of this parcel; thence North 43° 11' 14" West, 401.95 feet to the point of beginning. Including the northwesterly 30 feet of Brenner Way immediately adjacent to said described property.

Including also all that portion of Lou Ann Drive situated between the Northeasterly line of the above described property and the centerline of said Lou Ann Drive.

WHEREAS, after a public hearing held on December 19, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission as follows:

1. The area proposed for rezoning from R-1 to P-D for commercial/office uses is required by public necessity, convenience, and general welfare for the following reasons:

   a. This use is an appropriate one for the site which fronts onto Sisk Road, a major street, and Freeway 99.

   b. The P-D plan with conditions of approval insures neighborhood compatibility.

2. The remainder of the application to rezone from R-1 to P-D for residential uses as described above is not required by public necessity, convenience, and general welfare for the following reasons:

   a. R-3 density apartments are inappropriate in the interior of a neighborhood adjacent to single-family houses.

   b. The proposal does not conform to the Chrysler-99 Neighborhood Zoning and Development Plan,

and

WHEREAS, by Resolution No. 78-255, adopted on December 19, 1978, the Planning Commission denied that portion of the application for rezoning of the above described property for which rezoning from Low Density Residential Zone, R-1, to Planned Development Zone (Residential) had been requested, and

WHEREAS, by said Resolution No. 78-255, adopted on December 19, 1978, the Planning Commission recommended to the Council that the portion of the application for rezoning of the above described property for which rezoning from Low Density Residential Zone, R-1, to Planned Development Zone (Commercial/Offices) was requested be granted, and

WHEREAS, after a public hearing held on February 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Hian Investments for a Planned Development

Zone for Commercial/Office uses should be granted as consonant with public necessity, convenience and general welfare for the following reasons:

1. This use is an appropriate one for the site which fronts onto Sisk Road, a major street, and Freeway 99.

2. The P-D plan with conditions of approval insures neighborhood compatibility,

and

WHEREAS, the Council has introduced Ordinance No. 1811 - C. S. on the 13th day of February, 1979, reclassifying the above-described property from Low Density Residential, R-1, to Planned Development Zone, P-D(212) for Commercial/Office uses,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(212) is hereby approved in accordance with the plan titled "Site Plan - Commercial Complex - Hian Investments Sisk and Brenner" as amended in red on its face, stamped approved by the Planning Commission on December 19, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operabl prior to construction of any structures.

5. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. That all businesses may be open to the public only between the hours of 7 a.m. and 10 p.m. of each day, seven days a week, unless a use permit for each business seeking to remain open for additional business hours is obtained from the Board of Zoning Adjustment after a public hearing, in accordance with the provisions of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code.

7. That all activities to the rear of the commercial building including the parking of trucks may be conducted only between the hours of 7 a.m. and 10 p.m. of each day.

8. That all signs shall comply with the sign requirements of the H-1 Zone. No signs shall be permitted on the south face of the building adjacent to residentially zoned property.

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That no operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the premises shall be soundproofed in accordance with the requirements of the Director of Public Works.

12. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirments of the City Engineer.

13. That prior to the issuance of a building permit, the developer shall dedicate all right-of-way and easements as required by the City and utility companies.

14. That prior to occupancy of the premises, all required public street improvements shall be constructed. Street improvement plans shall be prepared by a registered civil engineer and submitted to the City Engineer for approval.

15. That prior to issuance of a building permit for any development, the applicant shall record a final parcel map creating the parcel to be developed.

16. That prior to occupancy of the premises, the applicant shall construct a solid, six-foot decorative masonry wall along the Brenner Way frontage, with a 10-foot setback from the street, as shown in red on the plot plan.

17. That prior to occupancy of the premises, an eight-foot solid masonry wall shall be constructed along the eastern boundary of the project with screen landscaping in the adjacent planting strip.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (212):

That the entire construction program be accomplished in one phase, construction to begin on or before March 31, 1980, and completion to be not later than March 31, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (212) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Acting Mayor Dunlap

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Elliott, Mayor Davies

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-127

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 13-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (HIAN INVESTMENTS)

WHEREAS, on February 13, 1979, the City Council introduced Ordinance No. 1811 - C. S. giving approval to a project relating to an amendment to Section Map 13-3-8 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned development Zone, P-D(212), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 13-3-8 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(212).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-128

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (CAROLYN CRAWFORD)

WHEREAS, on February 13, 1979, the City Council adopted Ordinance No. 1812-C. S. giving approval to a project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. Lin O Irwin
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-129

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (213).

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by Roy Campbell on November 15, 1978, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that portion of Section 20, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

Lot 3 of Mission Grove Tract, in the City of Modesto, County of Stanislaus, State of California, according to the official map thereof, filed in the Office of the Recorder of Stanislaus County, California, on June 13, 1917, in Volume 8 of Maps, at page 50.

Including also the northerly 25 feet of Griswold Avenue immediately adjacent to said Lot 3.

Containing 1.06 acres.

WHEREAS, after public hearing held on December 19, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone is only slightly higher in density than the present R-1 zoning.
2. The proposed P-D Zone will provide a compatible transition between the commercial uses to the east, the Elk's Club to the north, and the single-family homes to the west.
3. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments.

WHEREAS, after a public hearing held on February 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Roy Campbell for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1813 -C.S. on the 13th day of February, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (213).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (213), is hereby approved in accordance with the plan titled "Proposed Site Plan for Roy Campbell Planned Development", as amended in red on its face, stamped approved by the Planning Commission on December 19, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That a revised plot plan be submitted with minimum 36-foot side-yard setbacks. All development shall be in accordance with said plot plan titled "Proposed Site Plan for Roy Campbell Planned Development," as amended in red on its face, stamped approved by the Planning Commission on December 19, 1978 and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the developer shall dedicate to the City of Modesto a 3-foot street tree planting easement along the Griswold frontage in accordance with the requirements of the Director of Parks and Recreation.

5. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common open space improvement and maintenance in accordance with the approved plans.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That all TV reception facilities shall be underground and no antennas shall be permitted.

8. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That prior to the issuance of a building permit the developer shall dedicate a 10-foot public utility easement adjacent to Griswold Avenue.

11. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

12. That all street improvements along Griswold Avenue be completed to collector street standards. Prior to issuance of a building permit, street improvement plans for the required improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be made prior to occupancy of the premises or upon demand by the City.

13. That prior to issuance of a building permit, a public utility easement running from Griswold Avenue to the sewer manhole at the northeast corner of the property shall be dedicated. Said easement may follow the path of the private driveway subject to approval of the City Engineer.

14. That the olive trees on the Griswold Avenue frontage shall be maintained in such a manner that fruit will not drop on or stain the sidewalk.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (213):

The entire construction program be accomplished in one phase, construction to begin on or before January 1, 1980, and completion to be not later than January 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (213) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Smith
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-130

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CAMPBELL)

WHEREAS, on February 13, 1979, the City Council adopted Ordinance No. 1813-C.S. giving approval to a project relating to an amendment to Section Map 20-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (213), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 20-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (213).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-131

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Industrial Fire Protection District in Stanislaus County was annexed to the City of Modesto as Crows Landing Road Annexation by Resolution No. 79-31 adopted on January 9, 19 79, and said annexation officially became a part of the City of Modesto on January 25, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Industrial Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

CROWS LANDING ROAD ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9 and the Southwest quarter of Section 9 and the Southeast quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the East line of Crows Landing Road;

1. thence continuing along the existing City Limits and a Southern line of said ADDITION (85), along the quarter section line of Section 9, South 89° 54' 58" East, 1296.45 feet, to the Northeastern corner of the property conveyed to Joseph Agresti, et al, by deed recorded in Volume 2389 of Official Records at Page 537, Stanislaus County Records;

2. thence leaving the existing City Limits along the East line of said Agresti property, South 00° 10' 05" East, 647.00 feet, to the Southeastern corner thereof;

3. thence along the Southerly line of said Agresti property, and its Westerly extension, North 89° 50' 30" West, 1328.73 feet, to a point on the West line of said Section 9, said point also being on the center line of 60 foot Crows Landing Road;

4. thence along said Section line South 00° 02' 00" West, 550.06 feet;

5. thence parallel with and 120.00 feet North of the North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 660.00 feet;

6. thence South 00° 02' 00" West, 120.00 feet, to a point on said North line of the South half of the Southeast quarter of Section 8;

7. thence along said North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 1369.60 feet, to a point on the Eastern line of the RUTHERFORD TRACT, as recorded in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along the East line of said tract, North 00° 13' 00" East, 660.00 feet, to a point on the Southern line of the FRAZIER HOME TRACT, as recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records;

9. thence along the Northern line of the property conveyed to Richard G. Herron, et al, by deed recorded in Volume 3032 of Official Records, at Page 68, Stanislaus County Records, South 89° 20' 00" East, 747.90 feet, to the Southwestern corner of the property conveyed to Alfred T. Sarina, et al, by deed recorded in Volume 3036, Page 212, Stanislaus County Records;

10. thence along the Western line of said Sarina property and its Northerly extension, North 00° 03' 30" East, 204.69 feet, to the center line of 60.00 foot Imperial Avenue;

11. thence along said center line, South 89° 14' 00" East, 60.00 feet, to its intersection with the Northerly extension of the Eastern line of the Sarina property;

12. thence along the Northerly extension of the Eastern line of the aforementioned Sarina property, South 00° 03' 30" West, 204.68 feet, to the Southwestern corner of said property;

13. thence along the Northern line of the aforementioned Herron property, South 89° 20' 00" East, 559.30 feet, to a point on the Western line of the property conveyed to Industrial Fire Protection District by deed recorded in Volume 3031, Page 646, Stanislaus County Records;

14. thence South 00° 02' 00" West, 100.00 feet;

15. thence South 89° 20' 00" East, 367.85 feet;

16. thence North 00° 02' 00" East, 50.00 feet, to the Southeast corner of Parcel 1 as recorded in Book 4 of Parcel Maps, Page 99, Stanislaus County Records;

17. thence along the Eastern line of said Parcel 1 and its Northerly extension as shown and recorded in Volume 4 of Parcel Maps, Page 50, Stanislaus County Records, North 00° 02' 00" East, 217.70 feet, to a point on the center line of 60.00 foot Imperial Avenue;

18. thence along said center line South 74° 24' 00" East, 92.58 feet;

19. thence along said center line South 89° 14' 00" East, 203.37 feet, to said West line of Section 9;

20. thence along said Western line of Section 9, North 00° 02' 00" East, 511.92 feet, to the West quarter corner of Section 9;

21. thence along the East West quarter Section line of said Section 9, South 89° 54' 58" East, 30.00 feet, to the point of beginning, containing 49.031 Acres, more or less.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Robert Campbell
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-132

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Dale-Snyder Annexation by Resolution No. 79-32 adopted on January 9, 1979, and said annexation officially became a part of the City of Modesto on January 25, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 69, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None.

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kent Campbell
Public Works Department

DALE - SNYDER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the BECKWITH NO. 1 ADDITION (306), as per description filed June 19, 1973, as Instrument 54524, Stanislaus County Records, said point being on the center line of Dale Road and the section line common to Sections 11 and 12;

1. thence continuing along the existing City Limits and a Northern line of said ADDITION (306), South 89° 40' 39" West, 2642.49 feet;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (306), North 00° 07' 05" East, 665.10 feet, to the North quarter corner of Section 11;

3. thence continuing along the existing City Limits and the Southern line of PELANDALE NO. 1 ADDITION (370), as per description filed March 29, 1978, as Instrument 61430, Stanislaus County Records, North 89° 44' 14" East, 2641.11 feet, to the Northeastern corner of Section 11, and the center line of Dale Road;

4. thence leaving the existing City Limits and continuing along the center line of Dale Road, South, 662.34 feet, to the point of beginning, containing 40.252 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-133

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE BURBANK-PARADISE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Burbank-Paradise Fire Protection District in Stanislaus County was annexed to the City of Modesto as Briggs-Wheatley Annexation by Resolution No. 79-34 adopted on January 9, 19 79, and said annexation officially became a part of the City of Modesto on January 25, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kenneth Campbell
Public Works Department

BRIGGS - WHEATLEY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all of Lots 11 and 16 of the RE-SURVEY OF BRICHMAN'S ADDITION TO THE CITY OF MODESTO, as per map filed October 10, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northwest corner of the BRIGGS NO. 1 ANNEXATION (387), as per description filed October 30, 1978, as Instrument 28121, Stanislaus County Records, said point being the center line of 60.00 foot Briggs Avenue;

1. thence continuing along the existing City Limits and the Western line of said ADDITION (387), South 00° 11' 00" West, 496.68 feet;

2. thence leaving the existing City Limits, North 89° 49' 00" West, 933.36 feet;

3. thence North 00° 11' 00" East, 496.68 feet, to the center line of Briggs Avenue;

4. thence along the center line of Briggs Avenue, South 89° 49' 00" East, 933.36 feet, to the point of beginning, containing 10.642 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-134

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (CROWS LANDING ROAD)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-31 on January 9, 19 79, certain territory known as Crows Landing Road Annexation, and

WHEREAS, the inclusion of the area contained in Crows Landing Road Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Crows Landing Road Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 196.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, April 3, 19 79, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A northwest corner of the annexation at the east line of Crows Landing Road.

(2) A western line of the annexation along the eastern line of Crows Landing Road at the intersection of Imperial Avenue.

(3) An eastern line of the annexation along the western line of Crows Landing Road and 650' south of the intersection of Imperial Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 196, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELVIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 13, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Dunlap, seconded by Councilmember Mensinger, and adopted by the following vote:

AYES: Councilmembers: Dunlap, Pulliam, Lang, Mensinger, Sieglin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: February 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

CROWS LANDING ROAD ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9 and the Southwest quarter of Section 9 and the Southeast quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the East line of Crows Landing Road;

1. thence continuing along the existing City Limits and a Southern line of said ADDITION (85), along the quarter section line of Section 9, South 89° 54' 58" East, 1296.45 feet, to the Northeastern corner of the property conveyed to Joseph Agresti, et al, by deed recorded in Volume 2389 of Official Records at Page 537, Stanislaus County Records;

2. thence leaving the existing City Limits along the East line of said Agresti property, South 00° 10' 05" East, 647.00 feet, to the Southeastern corner thereof;

3. thence along the Southerly line of said Agresti property, and its Westerly extension, North 89° 50' 30" West, 1328.73 feet, to a point on the West line of said Section 9, said point also being on the center line of 60 foot Crows Landing Road;

4. thence along said Section line South 00° 02' 00" West, 550.06 feet;

5. thence parallel with and 120.00 feet North of the North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 660.00 feet;

6. thence South 00° 02' 00" West, 120.00 feet, to a point on said North line of the South half of the Southeast quarter of Section 8;

7. thence along said North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 1369.60 feet, to a point on the Eastern line of the RUTHERFORD TRACT, as recorded in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along the East line of said tract, North 00° 13' 00" East, 660.00 feet, to a point on the Southern line of the FRAZIER HOME TRACT, as recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records;

9. thence along the Northern line of the property conveyed to Richard G. Herron, et al, by deed recorded in Volume 3032 of Official Records, at Page 68, Stanislaus County Records, South 89° 20' 00" East, 747.90 feet, to the Southwestern corner of the property conveyed to Alfred T. Sarina, et al, by deed recorded in Volume 3036, Page 212, Stanislaus County Records;

10. thence along the Western line of said Sarina property and its Northerly extension, North 00° 03' 30" East, 204.69 feet, to the center line of 60.00 foot Imperial Avenue;

11. thence along said center line, South 89° 14' 00" East, 60.00 feet, to its intersection with the Northerly extension of the Eastern line of the Sarina property;

12. thence along the Northerly extension of the Eastern line of the aforementioned Sarina property, South 00° 03' 30" West, 204.68 feet, to the Southwestern corner of said property;

13. thence along the Northern line of the aforementioned Herron property, South 89° 20' 00" East, 559.30 feet, to a point on the Western line of the property conveyed to Industrial Fire Protection District by deed recorded in Volume 3031, Page 646, Stanislaus County Records;

14. thence South 00° 02' 00" West, 100.00 feet;

15. thence South 89° 20' 00" East, 367.85 feet;

16. thence North 00° 02' 00" East, 50.00 feet, to the Southeast corner of Parcel 1 as recorded in Book 4 of Parcel Maps, Page 99, Stanislaus County Records;

17. thence along the Eastern line of said Parcel 1 and its Northerly extension as shown and recorded in Volume 4 of Parcel Maps, Page 50, Stanislaus County Records, North 00° 02' 00" East, 217.70 feet, to a point on the center line of 60.00 foot Imperial Avenue;

18. thence along said center line South 74° 24' 00" East, 92.58 feet;

19. thence along said center line South 89° 14' 00" East, 203.37 feet, to said West line of Section 9;

20. thence along said Western line of Section 9, North 00° 02' 00" East, 511.92 feet, to the West quarter corner of Section 9;

21. thence along the East West quarter Section line of said Section 9, South 89° 54' 58" East, 30.00 feet, to the point of beginning, containing 49.031 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-135

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (DALE-SNYDER)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-32 on January 9, 1979, certain territory known as Dale-Snyder Annexation, and

WHEREAS, the inclusion of the area contained in Dale-Snyder Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Dale-Snyder Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 197.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, April 3, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the annexation at the west line of Dale Road.

(2) The east line of the annexation and 330' south of the intersection of Dale Road and Snyder Avenue along the west line of Dale Road.

(3) The southeast corner of the annexation at the west line of Dale Road.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 197, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kent Campbell
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 13, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Dunlap, seconded by Councilmember Mensinger, and adopted by the following vote:

AYES: Councilmembers: [illegible]

NOES: Councilmembers: [illegible]

ABSENT: Councilmembers: Elliott

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: February 15, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

DALE - SNYDER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the BECKWITH NO. 1 ADDITION (306), as per description filed June 19, 1973, as Instrument 54524, Stanislaus County Records, said point being on the center line of Dale Road and the section line common to Sections 11 and 12;

1. thence continuing along the existing City Limits and a Northern line of said ADDITION (306), South 89° 40' 39" West, 2642.49 feet;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (306), North 00° 07' 05" East, 665.10 feet, to the North quarter corner of Section 11;

3. thence continuing along the existing City Limits and the Southern line of PELANDALE NO. 1 ADDITION (370), as per description filed March 29, 1978, as Instrument 61430, Stanislaus County Records, North 89° 44' 14" East, 2641.11 feet, to the Northeastern corner of Section 11, and the center line of Dale Road;

4. thence leaving the existing City Limits and continuing along the center line of Dale Road, South, 662.34 feet, to the point of beginning, containing 40.252 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-136

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (BRIGGS-WHEATLEY)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-34 on January 9, 19 79, certain territory known as Briggs-Wheatley Annexation, and

WHEREAS, the inclusion of the area contained in Briggs-Wheatley Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Briggs-Wheatley Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 198.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, April 3, 19 79, at the hour of 4L00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northwest corner of the annexation at the south line of Briggs Avenue.

(2) The north line of the annexation along the south line of Briggs Avenue and 1500' west of the intersection of Franklin Avenue.

(3) The north line of the annexation along the south line of Briggs Avenue and 1100' west of the intersection of Franklin Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 198, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang; Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on February 13, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Dunlap, seconded by Councilmember Mensinger, and adopted by the following vote:

AYES: Councilmembers: Dunlap, Kulikian, Long, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: February 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

BRIGGS - WHEATLEY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all of Lots 11 and 16 of the RE-SURVEY OF BRICHMAN'S ADDITION TO THE CITY OF MODESTO, as per map filed October 10, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northwest corner of the BRIGGS NO. 1 ANNEXATION (387), as per description filed October 30, 1978, as Instrument 28121, Stanislaus County Records, said point being the center line of 60.00 foot Briggs Avenue;

1. thence continuing along the existing City Limits and the Western line of said ADDITION (387), South 00° 11' 00" West, 496.68 feet;

2. thence leaving the existing City Limits, North 89° 49' 00" West, 933.36 feet;

3. thence North 00° 11' 00" East, 496.68 feet, to the center line of Briggs Avenue;

4. thence along the center line of Briggs Avenue, South 89° 49' 00" East, 933.36 feet, to the point of beginning, containing 10.642 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-137

A RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX CERTAIN TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS THE COLLIER-TROMBETTA ANNEXATION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter set forth, hereby proposes proceedings to annex to the City of Modesto all of the territory hereinafter described, in accordance and in compliance with the provisions of the Municipal Organization Act, Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

SECTION 2. That the Council's reasons for proposing said annexation proceedings are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide proper land use in conformity with the General Plan and the zoning regulations of the City of Modesto.

SECTION 3. That the territory which the Council proposes to annex is hereby identified as the Collier-Trombetta Annexation to the City of Modesto as shown on the map attached hereto as Exhibit "A", and said territory consists of all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

COLLIER-TROMBETTA ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South 89° 46' East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South 0° 52' 45" East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South 0° 52' 45" East, 1013.66 feet; thence North 89° 47' 45" West, 152.44 feet; thence North 0° 54' 20" West, 12.50 feet; thence North 89° 47' 45" West, 172.50 feet; thence South 0° 54' 20" East, 10.00 feet; thence North 89° 47' 45" West, 152.50 feet; thence North 0° 54' 20" West, 0.22 feet; thence North 89° 47' 20" West, 162.43 feet; thence North 0° 55' 30" West, 235.02 feet; thence North 89° 47' 20" West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North 0° 55' 30" West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South 89° 46' 50" East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North 0° 55' 30" West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North 0° 55' 30" West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

SECTION 4. That the Council hereby makes application for and requests that proceedings be taken for annexation of the hereinabove described territory to the City of Modesto.

SECTION 5. That the attached "PLAN FOR PROVIDING SERVICES - COLLIER-TROMBETTA ANNEXATION" marked Exhibit "B" is hereby submitted as the plan of the City of Modesto for providing services within the above described territory.

SECTION 6. That the City Clerk of the City of Modesto is hereby authorized and directed to submit to the Local Agency Formation Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, this Resolution of Application to annex to the City of Modesto the aforesaid territory in accordance with the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

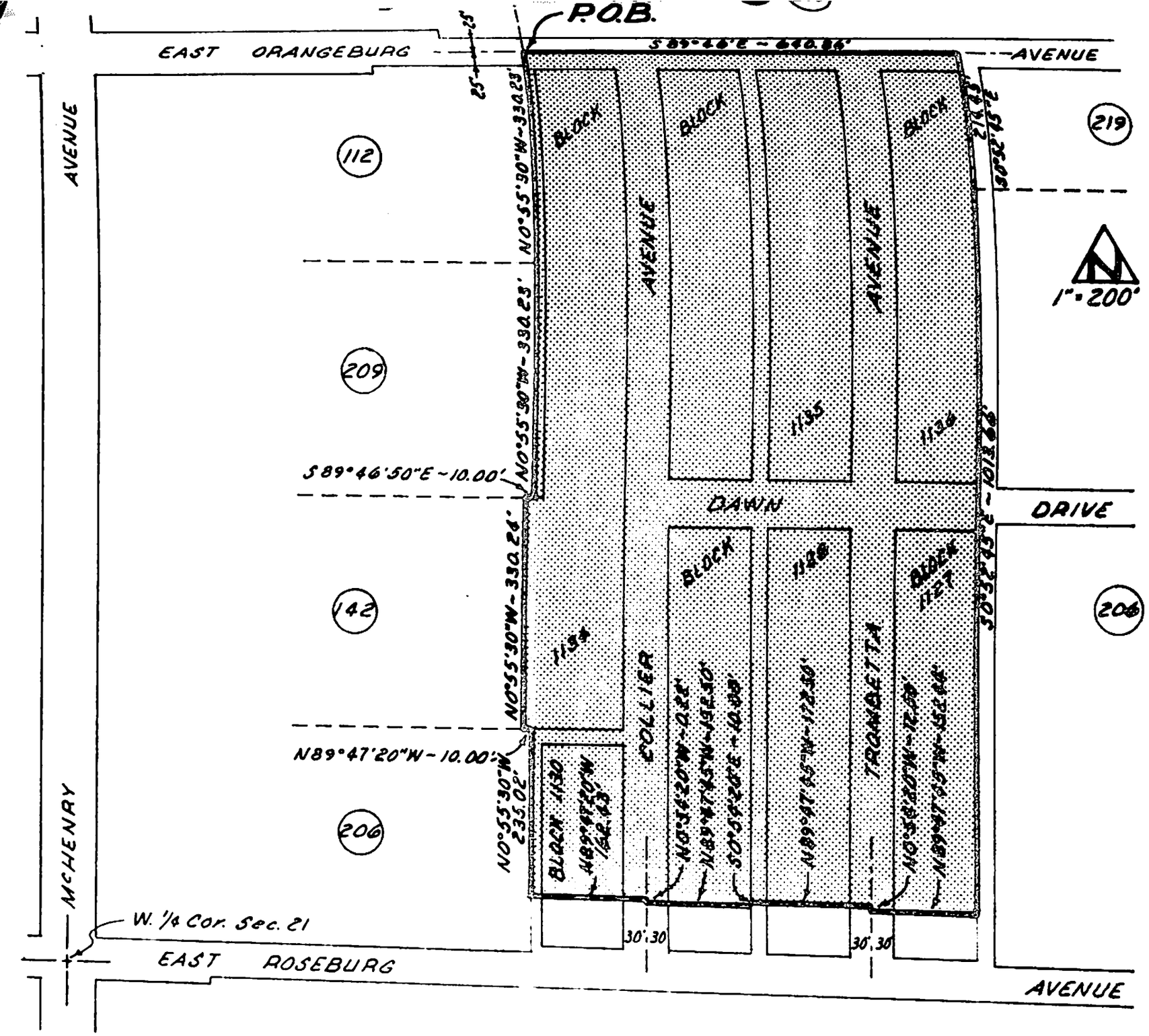
(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department



(219) E. ORANGEBURG NO. 2 ADDITION
FILED 7-30-68
INST. No. 23319

(209) PINE CONE ADDITION
FILED 1-29-68
INST. No. 3054

(206) SUNRISE ADDITION
FILED 9-25-67
INST. No. 30334

(112) E. ORANGEBURG ADDITION
FILED 6-29-60
INST. No. 18295

(142) HELM ADDITION
FILED 12-13-62
INST. No. 46565

Exhibit "A"

COLLIER-TROMBETTA ANNEXATION

18.061 ACRES

MK R-18-7R

5-A-249

PLAN FOR PROVIDING SERVICES - COLLIER-TROMBETTA ANNEXATION

Modesto Department of Planning and Community Development
January 1979

Upon completion of annexation to the City of Modesto, the following services will be made available or extended to properties in the annexation area in the manner indicated:

1. FIRE PROTECTION: Upon annexation the property will be withdrawn from the McHenry-Dry Creek Fire Protection District and fire protection will be provided by the Modesto Fire Department. Primary fire response would come from Fire Station No. 5 near the intersection of McHenry Avenue and Briggsmore Avenue. This service would be extended upon the effective date of annexation.

2. POLICE PROTECTION: Modesto City Police would assume responsibility for police protection upon the effective date of annexation.

3. GARDEN REFUSE PICKUP: Weekly garden refuse pickup would be extended to the area upon the effective date of annexation. There is no separate charge for this service.

4. SANITARY SEWER SERVICE: The City of Modesto anticipates that an improvement district will be formed and that the sewer will be available within two years after the annexation is effective. The existing dwellings within the annexation area would be required to connect to the sewer system within two years from the time the sewer becomes available. The total cost of connecting to the sewer system will be about $2,000 and may be financed as follows:

   a. Actual construction of sewer laterals and house wyes will cost about $1,100 and will be accomplished by the formation of an improvement district. Financing through improvement district bonds can be for 15 years.

   b. Bond redemption fees and subtrunk charges will total about $315 and can be financed by the City of Modesto for a period of two years at 7 percent simple interest. (Payable bimonthly with sewer bill.)

   c. Remaining costs - The actual cost of connecting the home to a sewer lateral will be about $600, to be paid by the property owner at time of connection.

5. WATER SERVICE: The annexation area is presently served by the Del Este Water Company and there would be no change in this service after annexation.

Exhibit "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-138

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS WOODLAND-BARIUM ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Woodland-Barium Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated January 24, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Woodland-Barium Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

WOODLAND-BARIUM ANNEXATION

All htat real property in the State of California, being a portion of the Northeast quarter of Section 30, Township 3 South, Rnage 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Western line of the NORTHWEST ADDITION (44), as per description filed December 10, 1951, as Instrument 28460, Stanislaus County Records, said point being on the North line of Section 30, and the intersection with Woodland Avenue,

1. thence along the existing City Limits and a Western line of said ADDITION (44), South 43° 29' 30" East, 315.10 feet;

2. thence leaving the existing City Limits, along a line at right angles to the Southern Pacific Railroad Right-of-Way, South 46° 30' 30" West, 120.00 feet, to the center line of abandoned 40100 Michigan Avenue;

3. thence along the center line of said road, South 00° 42' 30" East, 62.47 feet;

4. thence along the North line of the GRANGE TRACT, as per map filed in Volume 14 of Maps, Page 5, Stanislaus County Records, North 89° 57' 30" West, 939.83 feet, to the center line of 60.00 foot Barium Road;

5. thence continuing along the center line of said road, North 00° 33' 30" West, 375.54 feet, to the center line of Woodland Avenue, said point being on the North line of Section 30;

6. thence along the center line of said road, South 89° 49' 30" East, 812.91 feet, to the point of beginning, containing 8.059 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-139

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS KANSAS AVENUE NO. 3 ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Kansas Avenue No. 3 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated January 24, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Kansas Avenue No. 3 Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

KANSAS AVENUE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the WOODLAND-MERCY ADDITION ( ), as per description filed , 1978, as Instrument , Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said ADDITION ( ), South 62° 02' 00" East, 480.36 feet;

2. thence continuing along the existing City Limits and the Southern line of said ADDITION ( ), South 87° 27' 00" East, 212.52 feet;

3. thence leaving the existing City Limits, South 01° 00' 00" East, 1234.93 feet, to the center line of 40.00 foot Kansas Avenue;

4. thence along the center line of Kansas Avenue, South 89° 18' 00" West, 1167.21 feet;

5. thence North 01° 00' 00" West, 1771.41 feet;

6. thence South 62° 02' 00" East, 611.28 feet, to the point of beginning, containing 39.125 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-140

A RESOLUTION APPROVING THE FINAL MAP OF THE VINTAGE FAIRE NO. 5 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Vintage Faire Development, Inc., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.013 acres, known as the Vintage Faire No. 5 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 7th day of November, 1978, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Vintage Faire No. 5 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being

duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-141

A RESOLUTION APPROVING THE FINAL MAP OF THE SHASTA ESTATES NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Joaquin Construction Co., Inc.

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 7.177 acres, known as the Shasta Estates No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 3rd day of January, 19 78, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Shasta Estates No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Council-

member Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-142

A RESOLUTION APPROVING THE FINAL MAP OF THE SHASTA ESTATES NO. 3 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Joaquin Construction Co., Inc.

is (~~are~~ XXX) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.893 acres, known as the Shasta Estates No. 3 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 3rd day of January, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Shasta Estates No. 3 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Council-

member Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-143

A RESOLUTION APPROVING THE FINAL MAP OF THE GOOD KARMA ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Mike G. Fisher and Patricia J. Fisher, husband and wife

~~is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.999 acres, known as the Good Karma Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 5th day of September, 19 78, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Good Karma Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Council-

member Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-144

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPROVAL OF FIFTH YEAR COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION TO HUD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that February 27, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of approval of Fifth Year Community Development Block Grant Application to HUD.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 145

A RESOLUTION REQUESTING THE COUNTY ASSESSOR OF STANISLAUS COUNTY TO PROVIDE THE CITY OF MODESTO WITH AN ESTIMATE OF THE ASSESSED VALUATION OF PROPERTY WITHIN THE CITY FOR THE 1979-80 FISCAL YEAR.

WHEREAS, Section 27421 of the Government Code of the State of California provides that the county assessor in each county in the State of California who is designated to perform the duty of assessing property for a local taxing jurisdiction shall, upon request of the governing body of such jurisdiction, furnish an estimate of the assessed valuation of property within such jurisdiction for the succeeding fiscal year, and

WHEREAS, said Section 27421 of the Government Code requires such a request to be made to the county assessor on or before February 20th of each year, and

WHEREAS, said Section 27421 of the Government Code further provides that upon such a request being made by the governing body of a local taxing jurisdiction, the county assessor shall furnish an estimate of the assessed valuation of property within such jurisdiction not later than May 15th for the succeeding fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, that in accordance with the provisions of Section 27421 of the Government Code of the State of California, it hereby requests the County Assessor of the County of Stanislaus to furnish the City of Modesto with an estimate of the assessed valuation of property within the City of Modesto for the fiscal year 1979-80.

BE IT FURTHER RESOLVED that the Council requests said estimate referred to above to be furnished to the City Manager of the City of Modesto on or before May 15, 1979, in accordance with the provisions of Section 27421 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-146

A RESOLUTION ACCEPTING IMPROVEMENTS IN OAKSHIRE TERRACE SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Wolverine Building Service and Charles B. Walter, subdividers of Oakshire Terrace Subdivision , have filed instruments of credit for faithful performance and labor and materials in the amount of $39,900 and $19,950 respectively to guarantee improvements in Oakshire Terrace Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated February 6, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the instruments of credit / upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Oakshire Terrace Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the instrument of credit for faithful performance in the amount of $39,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the instrument of credit for labor and materials in the amount of $19,950 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Mensinger , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-147

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SALE OF BUILDINGS ON FOUR PARCELS OF LAND ACQUIRED FOR DEL WEBB SOCCER FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the sale of buildings located at 519, 521, 525, 529, and 617 South Sunset Avenue, on four parcels of land acquired for Del Webb Soccer Field

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 20, 1979, at 10:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** February, 19 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-148

REASSIGNMENT OF
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND SILVAIR AVIATION, TO EXECUTIVE SKYWAYS AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto reassignment of
that the/agreement between the City of Modesto and Silvair Aviation, to Executive Skyways at the Modesto City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** February, **19** 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 149

A RESOLUTION AMENDING THE 1978-79 OPERATING BUDGET TO APPROPRIATE AN AMOUNT FOR THE JUNIOR GOLF PROGRAM.

WHEREAS, a balance of $1,581.25 is held in the City Trust Fund (Fund No. 601) resulting from net proceeds of Celebrity Golf Tournaments, and a donation from Frank Maroney, and

WHEREAS, said amount is to be used for an instructional golf program for youth, and to promote a George Maroney Junior Golf Tournament, as approved by motion of the City Council October 1, 1973, and

WHEREAS, expenses for the youth golf program will amount to a total of $533.00 for the fiscal year 1978-79,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amount of $533.00 be transferred from the City Trust Fund (Fund No. 601) to the General Fund (Fund No. 101) Donations Account (Revenue Account No. 905).

BE IT FURTHER RESOLVED that said amount be appropriated in the General Fund (Fund No. 101), Recreation Division of the Parks and Recreation Department (Division No. 32) in the Junior Golf Program Account (Account No. 459).

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979,

by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-150

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAROLD L. CASSELL FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 2020 LANCE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Harold L. and Joy M. Cassel for sewer service to property outside City limits at 2020 Lance Street, located on the south side of Lance Street between Phoenix Street and Brookfield Drive **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** February, **19** 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Mensinger, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-151

A RESOLUTION APPOINTING FOUR MEMBERS TO THE MODESTO YOUTH COMMISSION, DALE KUYKENDALL, ANTHONY VARNI, TAMI LILLIE, ALLISON FOSTER, AND REAPPOINTING MARK FENTON TO THE MODESTO YOUTH COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorized the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Modesto Youth Commission for the respective term as indicated:

Dale Kuykendall
Modesto High School
Term expires 12/1/79

Tami Lillie
Beyer High School
Term expires 12/1/79

Anthony Varni
Central Catholic High School
Term expires 6/1/79

Allison Foster
Downey High School
Term expires 12/1/79

Mark Fenton (Reappointed)
Central Catholic High School
Term expires 12/1/79

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Modesto Youth Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Mensinger, Siefkin, Acting Mayor Dunlap

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-152

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR MILLING WORK FOR MCHENRY MANSION AND OPENED IN THE OFFICE OF THE CITY CLERK ON FEBRUARY 20, 1979, AT 11:05 A.M., AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 79-87, adopted by the Council of the City of Modesto on February 6, 1979, approved the plans and specifications for milling work for McHenry Mansion and authorized the call for bids; and

WHEREAS, the bids received for milling work for McHenry Mansion were opened at 11:05 a.m. on February 20,1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, two firms interested in bidding, pointed out they do not have contractors' licenses since their primary function is providing materials in doing the construction, and a third contractor indicated he could get a contractors' license but this would increase their cost by a minimum of 20% and make it difficult to meet the bidding deadline; and

WHEREAS, the Director of Public Works recommends that all bids be rejected and that revised plans and specifications and call for bids be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for milling work for McHenry Mansion, and opened in the office of the City Clerk on February 20, 1979, at 11:05 a.m. are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of February, 1979, by Councilmember Mensinger, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call

carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Kullijian, Lang, Mensinger, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Mayor Davies

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-152a

A RESOLUTION APPROVING REQUEST OF CAMELLIA SOCIETY FOR CITY OF MODESTO CONTRIBUTION OF SWEEPSTAKES TROPHY FOR THE 18TH ANNUAL CAMELLIA SHOW TO BE HELD MARCH 17 and 18, 1979

BE IT RESOLVED by the Council of the City of Modesto that it hereby approves the request of the Camellia Society of Modesto that the City of Modesto contribute the sweepstakes trophy for the 18th Annual Camellia Show to be held March 17 and 18, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-153

A RESOLUTION ACCEPTING THE BID OF DISPOSABLE WASTE SYSTEMS FOR FURNISHING ONE COMMINUTOR-MACERATOR

WHEREAS, Resolution No. 79-59 , adopted by the Council of the City of Modesto on January 23, 1979 , approved the plans and specifications for the purchase of one comminutor-macerator

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one comminutor-macerator

were opened at 2:00 p.m. on February 13, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Disposable Waste Systems in the amount of $6,431.20

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Disposable Waste Systems in the amount of $6,431.20

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-154

A RESOLUTION APPROVING ISSUANCE OF AN AMENDED PURCHASE ORDER TO ROBERT HARPER INCORPORATED FOR CONSTRUCTION OF THE SONOMA SCHOOL STORM DRAIN

WHEREAS, Purchase Order #92956 for construction of the storm drain connection to the Sonoma School was originally issued for $3,410.00, to Robert Harper Incorporated; and

WHEREAS, conditions in the field required installation of an additional 10 L.F. of pipe which was not shown on the plans requiring a revision of the purchase order, making the total $3,650.00.

NOW, THEREFORE BE IT RESOLVED that issuance of an amended purchase order to Robert Harper Incorporated for construction of the Sonoma School storm drain is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-155

A RESOLUTION ACCEPTING THE CONSTRUCTION OF GENERAL ELECTRIC COMPANY'S CONTRACT FOR RADIO COMMUNICATIONS SYSTEM FOR LOCAL GOVERNMENT, AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of radio communications system for local government has been completed by General Electric Company in accordance with the contract agreement dated April 3, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of radio communications system for local government be accepted from said contractor, General Electric Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $66,900.88 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Cople
NORRINE COPLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 156

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 77-908 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(166)" AND ADDING SECTION 1A THERETO.

WHEREAS, the City Council, by Ordinance No. 1643-C.S., which was finally adopted on September 19, 1977, and which became effective on October 19, 1977, amended Section 11-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(166), property located on the east side of Sisk Road northwest of Standiford Avenue in the City of Modesto for construction of a motel/restaurant, a commercial structure and a multiple family residential complex, and

WHEREAS, City Council Resolution No. 77-908 approved the development plan for P-D(166) and contained conditions of approval thereof, and

WHEREAS, Ordinance No. 1774-C.S. and Resolution No. 78-788 adopted by the City Council on September 18, 1978, rezoned the commercial structure portion of P-D(166) to P-D(200), and

WHEREAS, the Planning Commission by its Resolution No. 78-208 adopted at its meeting of November 7, 1978, approved a revised plot plan and conditions for the multiple family residential complex portion of P-D(166), and

WHEREAS, on December 20, 1978, Leo Michaelides, et al., filed a verified application for an amendment to the motel/restaurant portion of Planned-Development Zone, P-D(166) described as follows:

All that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

All of Parcels A, B and D as shown on the map in Book 28 of Parcel Maps at Page 7, in the Stanislaus County Records,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of January 15, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-20, found and determined that an amendment to the motel/restaurant portion of Planned-Development Zone, P-D(166) as requested is required by public necessity, convenience, and general welfare and recommended said amendment to the City Council for the following reason:

> The revised plan is in conformance with the overall plan for Planned-Development Zone, P-D(166), and the adjacent Planned-Development Zone, P-D(200),

and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on February 20, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to the motel/restaurant portion of P-D(166) is required by public necessity, convenience, and general welfare for the reason set forth in Planning Commission Resolution No. 79-20 and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and

considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned-Development Zone, P-D(166),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 77-908 entitled "A Resolution Approving a Development Plan for Planned-Development Zone, P-D(166)" is hereby amended to read as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for the motel/restaurant portion of P-D(166), is hereby approved in accordance with the plot plan titled "Motel Complex", as amended in red on its face, stamped approved by the Planning Commission on January 15, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

2. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

3. That all parking and driveway areas shall be improved in accordance with city standards including the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

4. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

5. That all outdoor lighting within the P-D Zone shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

6. That no operations conducted on the commercial portion of the project shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the commercial portion of the project shall be soundproofed in accordance with the requirements of the Director of Public Works.

7. That the loading dock areas shall not be used for outside storage of any type of material.

8. That upon demand by the city, the developer shall dedicate an additional 12 feet of street right-of-way to complete Sisk Road to a major street standard.

9. That the developer shall improve Sisk Road to major street standards in accordance with the requirements of the Director of Public Works.

10. That public utility easements as required by the utility companies serving the development shall be dedicated.

11. That street barricades shall be constructed by the developer at the end of all dead-end streets as required by the City Engineer pursuant to improvement plans.

12. That sanitary sewer extension plans to serve the project shall be prepared by the developer's engineer and shall be in accordance with the specifications of the City Engineer.

13. That one freestanding identification sign a maximum of 28 feet high and 150 square feet in area shall be permitted to identify the motel/restaurant complex. All other signs shall comply with the H-1 zone sign regulations.

14. That prior to the issuance of a building permit the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

15. That prior to the issuance of a building permit for any development, the developer shall pay to the City of Modesto the cost of planting street trees every 40 feet along the public streets, the total number to be determined by the Director of Public Works.

16. That all public improvements shall be installed prior to occupancy of the premises or by October 1, 1980, whichever occurs first.

17. That all development shall be in accordance with the plot plan titled "Motel Complex" as amended in red on its face, stamped approved by the Planning Commission on January 15, 1979, and on file in the office of the Director of Planning and Community Development.

18. That prior to the issuance of a building permit a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

19. That the applicant shall install 5 fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrant shall be installed and operable prior to construction of any structure.

BE IT FURTHER RESOLVED by the Council that a new Section 1A is hereby added to Modesto City Council Resolution No. 77-908 to read as follows:

SECTION 1A. DEVELOPMENT PLAN. The development of the multiple family residential complex portion of Planned-Development Zone, P-D(166) shall be in accordance with the plot plan titled "Modesto Rossi Apartments" as amended in red on its face, stamped approved by the Planning Commission on November 7, 1978, and on file in the office of the Director of Planning and Community Development, and the conditions of approval for said multiple family residential complex portion of P-D(166) as approved by the Planning Commission by Planning Commission Resolution No. 78-208 adopted on November 7, 1978, as said resolution now exists, or as it may hereafter be amended or changed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned-Development Zone, P-D(166).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Nichols
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-157

A RESOLUTION AMENDING DRAWING 3-J ENTITLED "STREETS STANDARD PAVEMENT ON EXISTING STREET SECTION" AND DRAWING 3-K ENTITLED "STREETS STANDARD PAVEMENT SPECIAL CONDITIONS" OF THE "STANDARD SPECIFICATIONS OF THE CITY OF MODESTO", DATED 1975.

WHEREAS, the Planning Commission of the City of Modesto by Resolution No. 79-27, dated February 5, 1979, has recommended to the City Council that Drawing 3-J entitled "Streets Standard Pavement on Existing Street Section" and that Drawing 3-K entitled "Streets Standard Pavement Special Conditions" of the "Standard Specifications of the City of Modesto" dated 1975,be amended, and

WHEREAS, the Council of the City of Modesto desires to amend Drawing 3-J entitled "Streets Standard Pavement on Existing Street Section" and Drawing 3-K entitled "Streets Standard Pavement Special Conditions" of the "Standard Specifications of the City of Modesto" dated 1975, copies of which are on file in the offices of the City Clerk, Planning Commission and City Engineer,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Drawing 3-J entitled "Streets Standard Pavement on Existing Street Section" and Drawing 3-K entitled "Streets Standard Pavement Special Conditions" of the "Standard Specifications of the City of Modesto" dated 1975, copies of which are on file in the offices of the City Clerk, Director of Planning and Community Development and City Engineer, be amended as shown on said amended Drawing 3-J attached hereto, marked Exhibit "A", and said amended Drawing 3-K attached hereto, marked Exhibit "B", and that both exhibits be made a part hereof by reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979,

by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

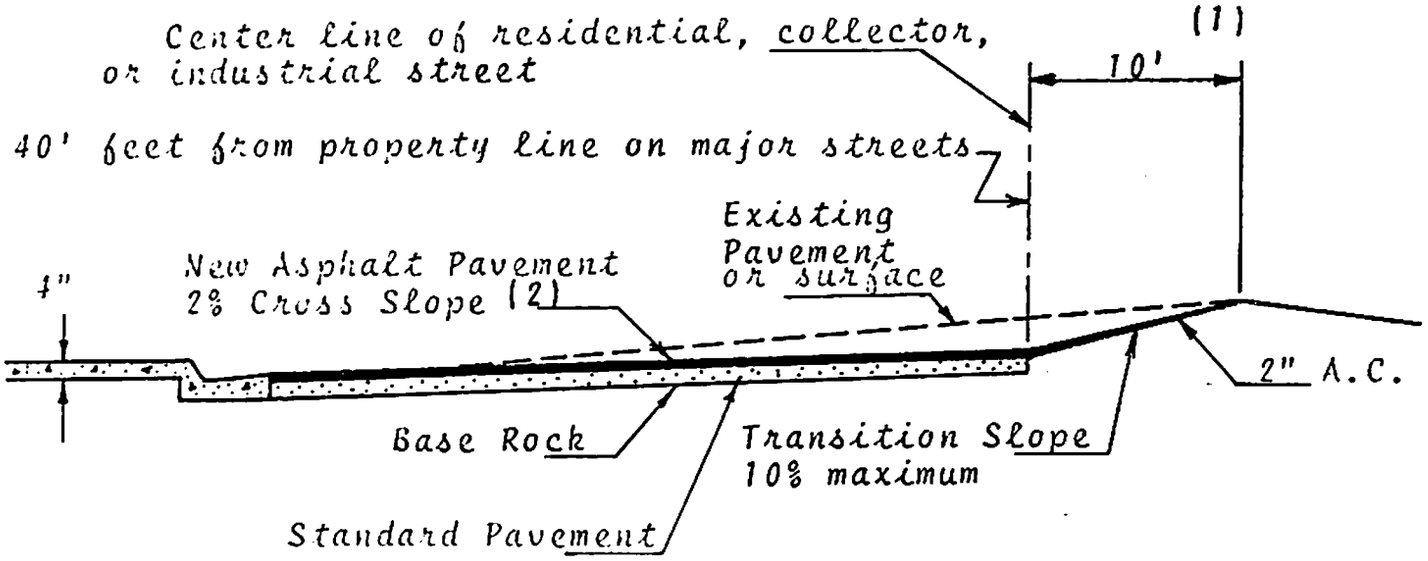
ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



1. Transitions requiring work beyond the center line shall be done by the Developer.

2. With written permission from the Engineer, a maximum cross slope of 4% may be permitted.

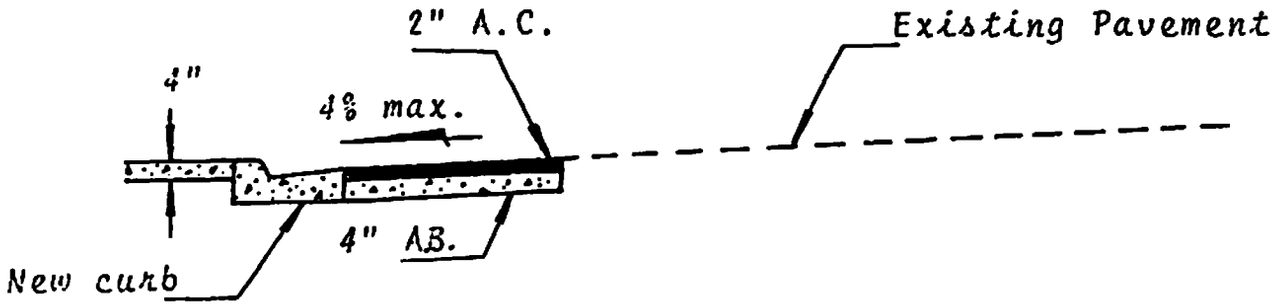
3. Where existing grades cannot be met, the Engineer may approve alternate proposals such as developer posting a cash bond for his portion of the street.

4. The maximum width of standard improvements required shall be 40 feet. The maximum width of transition pavement shall be 10' (feet).

5. Not applicable to single family, duplex, triplex, and fourplex lots created by parcel maps in existing developed areas.

REVISION Revised 7-28-78 RAM | Revised 2-21-79 ENG			
APPROVED BY REV #2 CITY COUNCIL 2-20-79 7-24-78	Streets Standard Pavement ON EXISTING STREET SECTION		DRAWN BY RS
Andrew R Campbell DIRECTOR OF PUBLIC WORKS RE 10606	CITY OF MODESTO DEPARTMENT OF PUBLIC WORKS		DATE 7-28-78
			DRAWING NO. 3-J

Exhibit "A"



1. These special conditions are applicable only to single family, duplex, triplex, and fourplex lots created by Parcel Maps in existing developed areas with approval of the Engineer.

2. Existing pavement shall be removed and replaced with new pavement when necessary to achieve slope not greater than 4%.

3. Where existing grades cannot be met, the Engineer may approve alternate proposals such as developer posting a cash bond for his portion of the street.

REVISION		
APPROVED BY CITY COUNCIL 2-20-79	Streets Standard Pavement SPECIAL CONDITIONS	DRAWN BY P.N.V
Walter A. Ramsey DIRECTOR OF PUBLIC WORKS RE 10606	CITY OF MODESTO DEPARTMENT OF PUBLIC WORKS	DATE 12-4-78 DRAWING NO. 3-K

Exhibit "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-158

A RESOLUTION ESTABLISHING POLICY DIRECTIVE RELATING TO OFFICIAL PARKING IN THE CITY HALL PARKING LOTS, AND RESCINDING RESOLUTION NO. 69-356.

WHEREAS, Article 16 of Chapter 2 of Title III of the Modesto Municipal Code provides that the Council from time to time may establish and designate municipal off-street parking facilities in the City, and

WHEREAS, parking attendant lot, PAL-4a, parking meter lot, PML 33, and the City Hall lower level parking lot have been so established for the parking of vehicles in the vicinity of the City Hall (hereinafter referred to as the City Hall parking lots), and

WHEREAS, the Council has determined that members of the Council, Planning Commission, Personnel Commission, Culture Commission, Board of Zoning Adjustment, Board of Building Appeals, the City Attorney, the City Clerk and the Building Maintenance Foreman are to be provided free parking in the City Hall parking lots when on official business,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that, as a matter of policy directive, the City Manager is authorized to issue rules and regulations relating to the issuance of stickers to identify private vehicles belonging to members of the Council, Planning Commission, Personnel Commission, Culture Commission, Board of Zoning Adjustment, Board of Building Appeals, the City Attorney, the City Clerk, and the Building Maintenance Foreman, and authorizing the parking of such vehicles in the City Hall parking lots without charge when on official city business.

BE IT FURTHER RESOLVED that the City Manager is authorized to reserve the eight (8) parking stalls along the alley for the parking of official city vehicles.

BE IT FURTHER RESOLVED that Resolution No. 69-356, adopted by the Council on April 28, 1969, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-159

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE DEL ESTE WATER COMPANY FOR TEMPORARY WATER SERVICE TO THE DEL ESTE WATER SERVICE AREA IN WEST MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Del Este Water Company **for** temporary water service to the Del Este Water Service Area in West Modesto **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** February, **19** 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-160
AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND JENKS & HARRISON FOR SERVICES IN CONNECTION WITH PREPARATION OF PROJECT REPORT ON CITY'S WASTEWATER TREATMENT AND DISPOSAL FACILITIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto amended **that the/agreement between the City of Modesto and** Jenks & Harrison for services in connection with preparation of Project Report on City's Wastewater Treatment and Disposal Facilities

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said amended **/agreement by the designated city officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** February, **19** 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-161

AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND J.B. GILBERT & ASSOCIATES IN CONNECTION WITH PREPARATION OF SUPPLEMENTAL EIR ON WASTEWATER TREATMENT FACILITIES PLAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto

amended

that the/agreement between the City of Modesto and J.B. Gilbert & Associates in connection with preparation of Supplemental EIR on Wastewater Treatment Facilities Plan

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-162

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES L. TOCALINO, TRUSTEE, FOR THE PURCHASE OF PROPERTY NEEDED FOR AN INTERIM BUS PASSENGER SHELTER AND PARKING LOT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles L. Tocalino, Trustee, for the purchase of property needed for an interim bus passenger shelter and parking lot at the northeast corner of 9th and I Streets, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-163

A RESOLUTION CONFIRMING THE AUTHORITY OF THE CITY MANAGER TO ACT ON BEHALF OF THE CITY OF MODESTO IN THE MANAGEMENT OF THE CITY'S SELF-INSURANCE PROGRAM FOR WORKER'S COMPENSATION LIABILITIES.

WHEREAS, on June 28, 1976, this Council by its Resolution No. 76-810 implemented, effective July 1, 1976, a self-insurance program for worker's compensation liabilities and approved an agreement with an insurance management company to administer said program, and

WHEREAS, this Council has established a City Self-Insurance Fund for the fiscal management of the city's total self-insurance program, and

WHEREAS, the city manages its self-insurance program for worker's compensation liability through said City Self Insurance Fund under the direction of the City Manager through the city's Risk Manager and an insurance management company, and

WHEREAS, it is desirable to confirm the authority of the City Manager to act for the City of Modesto in the management of the city's self-insurance program for worker's compensation liabilities,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby confirms the authority of the City Manager to act on behalf of the City of Modesto in the management of the city's self-insurance program for worker's compensation liabilities, including but not limited to obtaining a certificate of Consent to Self-Insure from the State of California, Department of Industrial Relations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-164

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FOUNDATION ENGINEERS, INC. FOR THE SOILS INVESTIGATION FOR THE WEST TRUNK SEWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Foundation Engineers, Inc.

for the soils investigation for the west trunk sewer

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-165

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. SALARY RANGES AND RATES. The salary rates, salary ranges and salary steps as set forth in Exhibit "A" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A Miscellaneous Employees", Exhibit "B" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B Firefighters", Exhibit "C" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C Police Personnel", Exhibit "D" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D Classified Management and Confidential Employees", and Exhibit "E" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", which are attached hereto and hereby made a part hereof, are hereby established.

SECTION 2. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in Exhibit "F", entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1978-79", which is attached hereto and hereby made a part hereof, are hereby established.

SECTION 3. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 4. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council.

SECTION 5. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with the applicable provisions of the Modesto Municipal Code and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is hereby provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

SECTION 6. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein.

SECTION 7. DIFFERENTIAL PAY - MISCELLANEOUS. An employee who is assigned to one of the positions enumerated below shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which the employee would otherwise be entitled to receive. Such additional compensation shall not be paid to any person employed on a temporary or part-time (hourly or per diem pay) basis.

1. Motor Sweeper Operator - who is regularly assigned as a night sweeper operator.

2. Parks Maintenance Worker I - who is regularly assigned to water street trees at night.

3. Laborer - who is regularly assigned as a night hand sweeper.

SECTION 8. DIFFERENTIAL PAY - FIRE PREVENTION BUREAU. A sworn safety member of the Fire Department assigned to the Fire Department's Fire Prevention Bureau shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated,

the following additional compensation based on time spent in the Fire Prevention Bureau and determined as a percent of the compensation which the employee would otherwise be entitled to receive:

Time Spent in Fire Prevention Bureau	Additional Pay to be Received
0-12 months	0%
13-24 months	2 1/2%
25 months and thereafter	5%

SECTION 9. DIFFERENTIAL PAY - FIRE BATTALION CHIEF. A Fire Battalion Chief assigned by the Fire Chief as either Operations Commander or Fire Marshall may be paid, upon recommendation of the Fire Chief and approval of the City Manager, in addition to the salary fixed and established for the classification of Fire Battalion Chief, additional compensation of up to ten (10%) percent of the compensation which the employee would otherwise be entitled to receive.

SECTION 10. ACTING PAY - POLICE DEPARTMENT. A Police Officer or a Detective who is temporarily assigned to act as a Sergeant for five (5) or more regularly scheduled, consecutive work days will be paid five (5%) percent acting pay above the officer's normal base pay retroactive to the first day. Holidays and regularly scheduled days off will not interrupt the calculation of consecutive work days.

SECTION 11. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion of the time worked.

SECTION 12. EFFECTIVE DATE. The schedule of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective retroactively on and after July 4, 1978, except as otherwise noted in Exhibit "F".

SECTION 13. INTEREST. Interest shall be paid, from the date of withholding to the date of distribution of withheld salary, on all salary withheld pursuant to Sections 16280 and 16280.5 of the Government Code of the State of California and paid as a result of the decision of the California Supreme Court ruling that said sections are unconstitutional and invalid and authorized by this resolution. Said interest shall be calculated by the Director of Finance at the rates which were available to the city for Certificates of Deposit at the time of distribution of each payroll which would have included such withheld salary except for the provisions of said Sections 16280 and 16280.5 of the Government Code.

SECTION 14. REPEALS. Resolutions No. 77-660, 77-691, 77-705, 77-768, 77-855, 77-1120, 77-1153, 77-1225, 77-1318, 78-405, 78-649, 78-1081, 78-1181, 78-1260 and 79-52 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SCHEDULE A
MISCELLANEOUS
EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
110.0	3.6548	3.8375	4.0294	4.2309	4.4424	292.38	307.00	322.35	338.47	355.39	635.66	667.45	700.82	735.87	772.65
110.5	3.7461	3.9334	4.1301	4.3366	4.5534	299.69	314.67	330.41	346.93	364.27	651.56	684.12	718.34	754.26	791.96
111.0	3.8375	4.0294	4.2309	4.4424	4.6645	307.00	322.35	338.47	355.39	373.16	667.45	700.82	735.87	772.65	811.29
111.5	3.9334	4.1301	4.3366	4.5534	4.7811	314.67	330.41	346.93	364.27	382.49	684.12	718.34	754.26	791.96	831.57
112.0	4.0294	4.2309	4.4424	4.6645	4.8977	322.35	338.47	355.39	373.16	391.82	700.82	735.87	772.65	811.29	851.86
112.5	4.1301	4.3366	4.5534	4.7811	5.0202	330.41	346.93	364.27	382.49	401.62	718.34	754.26	791.96	831.57	873.16
113.0	4.2309	4.4424	4.6645	4.8977	5.1426	338.47	355.39	373.16	391.82	411.41	735.87	772.65	811.29	851.86	894.45
113.5	4.3366	4.5534	4.7811	5.0202	5.2712	346.93	364.27	382.49	401.62	421.70	754.26	791.96	831.57	873.16	916.82
114.0	4.4424	4.6645	4.8977	5.1426	5.3997	355.39	373.16	391.82	411.41	431.98	772.65	811.29	851.86	894.45	939.17
114.5	4.5534	4.7811	5.0202	5.2712	5.5348	364.27	382.49	401.62	421.70	442.78	791.96	831.57	873.16	916.82	962.65
115.0	4.6645	4.8977	5.1426	5.3997	5.6697	373.16	391.82	411.41	431.98	453.58	811.29	851.86	894.45	939.17	986.13
115.5	4.7811	5.0202	5.2712	5.5348	5.8115	382.49	401.62	421.70	442.78	464.92	831.57	873.16	916.82	962.65	1010.78
116.0	4.8977	5.1426	5.3997	5.6697	5.9532	391.82	411.41	431.98	453.58	476.26	851.86	894.45	939.17	986.13	1035.44
116.5	5.0202	5.2712	5.5348	5.8115	6.1021	401.62	421.70	442.78	464.92	488.17	873.16	916.82	962.65	1010.78	1061.33
117.0	5.1426	5.3997	5.6697	5.9532	6.2509	411.41	431.98	453.58	476.26	500.07	894.45	939.17	986.13	1035.44	1087.20
117.5	5.2712	5.5348	5.8115	6.1021	6.4072	421.70	442.78	464.92	488.17	512.58	916.82	962.65	1010.78	1061.33	1114.40
118.0	5.3997	5.6697	5.9532	6.2509	6.5634	431.98	453.58	476.26	500.07	525.07	939.17	986.13	1035.44	1087.20	1141.55
118.5	5.5348	5.8115	6.1021	6.4072	6.7276	442.78	464.92	488.17	512.58	538.21	962.65	1010.78	1061.33	1114.40	1170.12
119.0	5.6697	5.9532	6.2509	6.5634	6.8916	453.58	476.26	500.07	525.07	551.33	986.13	1035.44	1087.20	1141.55	1198.65
119.5	5.8115	6.1021	6.4072	6.7276	7.0640	464.92	488.17	512.58	538.21	565.12	1010.78	1061.33	1114.40	1170.12	1228.63
120.0	5.9532	6.2509	6.5634	6.8916	7.2362	476.26	500.07	525.07	551.33	578.90	1035.44	1087.20	1141.55	1198.65	1258.59
120.5	6.1021	6.4072	6.7276	7.0640	7.4172	488.17	512.58	538.21	565.12	593.38	1061.33	1114.40	1170.12	1228.63	1290.07
121.0	6.2509	6.5634	6.8916	7.2362	7.5980	500.07	525.07	551.33	578.90	607.84	1087.20	1141.55	1198.65	1258.59	1321.50
121.5	6.4072	6.7276	7.0640	7.4172	7.7881	512.58	538.21	565.12	593.38	623.05	1114.40	1170.12	1228.63	1290.07	1354.57
122.0	6.5634	6.8916	7.2362	7.5980	7.9779	525.07	551.33	578.90	607.84	638.23	1141.55	1198.65	1258.59	1321.50	1387.58
122.5	6.7276	7.0640	7.4172	7.7881	8.1775	538.21	565.12	593.38	623.05	654.20	1170.12	1228.63	1290.07	1354.57	1422.30
123.0	6.8916	7.2362	7.5980	7.9779	8.3768	551.33	578.90	607.84	638.23	670.14	1198.65	1258.59	1321.50	1387.58	1456.95
123.5	7.0640	7.4172	7.7881	8.1775	8.5864	565.12	593.38	623.05	654.20	686.91	1228.63	1290.07	1354.57	1422.30	1493.41
124.0	7.2362	7.5980	7.9779	8.3768	8.7956	578.90	607.84	638.23	670.14	703.65	1258.59	1321.50	1387.58	1456.95	1529.81
124.5	7.4172	7.7881	8.1775	8.5864	9.0157	593.38	623.05	654.20	686.91	721.26	1290.07	1354.57	1422.30	1493.41	1568.09
125.0	7.5980	7.9779	8.3768	8.7956	9.2354	607.84	638.23	670.14	703.65	738.83	1321.50	1387.58	1456.95	1529.81	1606.29
125.5	7.7881	8.1775	8.5864	9.0157	9.4665	623.05	654.20	686.91	721.26	757.32	1354.57	1422.30	1493.41	1568.09	1646.49
126.0	7.9779	8.3768	8.7956	9.2354	9.6972	638.23	670.14	703.65	738.83	775.78	1387.58	1456.95	1529.81	1606.29	1686.62
126.5	8.1775	8.5864	9.0157	9.4665	9.9398	654.20	686.91	721.26	757.32	795.18	1422.30	1493.41	1568.09	1646.49	1770.96
127.0	8.3768	8.7956	9.2354	9.6972	10.1821	670.14	703.65	738.83	775.78	814.57	1456.95	1529.81	1606.29	1686.62	1815.24
127.5	8.5864	9.0157	9.4665	9.9398	10.4368	686.91	721.26	757.32	795.18	834.94	1493.41	1568.09	1646.49	1728.80	1859.51
128.0	8.7956	9.2354	9.6972	10.1821	10.6912	703.65	738.83	775.78	814.57	855.30	1529.81	1606.29	1686.62	1770.96	

Exhibit "A"

SCHEDULE A
MISCELLANEOUS
EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
128.5	9.0157	9.4665	9.9398	10.4368	10.9586	721.26	757.32	795.18	834.94	876.69	1568.09	1646.49	1728.80	1815.24	1906.01
129.0	9.2354	9.6972	10.1821	10.6912	11.2258	738.83	775.78	814.57	855.30	898.06	1606.29	1686.62	1770.96	1859.51	1952.47
129.5	9.4665	9.9398	10.4368	10.9586	11.5065	757.32	795.18	834.94	876.69	920.52	1646.49	1728.80	1815.24	1906.01	2001.30
130.0	9.6972	10.1821	10.6912	11.2258	11.7871	775.78	814.57	855.30	898.06	942.97	1686.62	1770.96	1859.51	1952.47	2050.11
130.5	9.9398	10.4368	10.9586	11.5065	12.0818	795.18	834.94	876.69	920.52	966.54	1728.80	1815.24	1906.01	2001.30	2101.35

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B
FIREFIGHTERS

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
210.0	5.0346	5.2863	5.5506	5.8281	6.1195	563.88	592.07	621.67	652.75	685.38	1225.93	1287.22	1351.57	1419.14	1490.08
210.5	5.1605	5.4185	5.6894	5.9739	6.2726	577.98	606.87	637.21	669.08	702.53	1256.59	1319.40	1385.36	1454.65	1527.37
211.0	5.2863	5.5506	5.8281	6.1195	6.4255	592.07	621.67	652.75	685.38	719.66	1287.22	1351.57	1419.14	1490.08	1564.61
211.5	5.4185	5.6894	5.9739	6.2726	6.5862	606.87	637.21	669.08	702.53	737.65	1319.40	1385.36	1454.65	1527.37	1603.72
212.0	5.5506	5.8281	6.1195	6.4255	6.7468	621.67	652.75	685.38	719.66	755.64	1351.57	1419.14	1490.08	1564.61	1642.84
212.5	5.6894	5.9739	6.2726	6.5862	6.9155	637.21	669.08	702.53	737.65	774.54	1385.36	1454.65	1527.37	1603.72	1683.93
213.0	5.8281	6.1195	6.4255	6.7468	7.0841	652.75	685.38	719.66	755.64	793.42	1419.14	1490.08	1564.61	1642.84	1724.97
213.5	5.9739	6.2726	6.5862	6.9155	7.2613	669.08	702.53	737.65	774.54	813.27	1454.65	1527.37	1603.72	1683.93	1768.13
214.0	6.1195	6.4255	6.7468	7.0841	7.4383	685.38	719.66	755.64	793.42	833.09	1490.08	1564.61	1642.84	1724.97	1811.22
214.5	6.2726	6.5862	6.9155	7.2613	7.6244	702.53	737.65	774.54	813.27	853.93	1527.37	1603.72	1683.93	1768.13	1856.53

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "B"

SCHEDULE C
POLICE PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

HOURLY

RANGE	A	B	C	D	E
310.0	7.4797	7.8537	8.2464	8.6587	9.0916
311.0	7.8537	8.2464	8.6587	9.0916	9.5462
312.0	8.2464	8.6587	9.0916	9.5462	10.0235
313.0	8.6587	9.0916	9.5462	10.0235	10.5247

BI-WEEKLY

A	B	C	D	E
598.38	628.30	659.71	692.70	727.33
628.30	659.71	692.70	727.33	763.70
659.71	692.70	727.33	763.70	801.88
692.70	727.33	763.70	801.88	841.98

MONTHLY

A	B	C	D	E
1300.94	1365.99	1434.28	1506.00	1581.29
1365.99	1434.28	1506.00	1581.29	1660.36
1434.28	1506.00	1581.29	1660.36	1743.37
1506.00	1581.29	1660.36	1743.37	1830.55

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "C"

SCHEDULE D
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
410.0	3.6548	3.8375	4.0294	4.2309	4.4424	292.38	307.00	322.35	338.47	355.39	635.66	667.45	700.82	735.87	772.65
410.5	3.7461	3.9334	4.1301	4.3366	4.5534	299.69	314.67	330.41	346.93	364.27	651.56	684.12	718.34	754.26	791.96
411.0	3.8375	4.0294	4.2309	4.4424	4.6645	307.00	322.35	338.47	355.39	373.16	667.45	700.82	735.87	772.65	811.29
411.5	3.9334	4.1301	4.3366	4.5534	4.7811	314.67	330.41	346.93	364.27	382.49	684.12	718.34	754.26	791.96	831.57
412.0	4.0294	4.2309	4.4424	4.6645	4.8977	322.35	338.47	355.39	373.16	391.82	700.82	735.87	772.65	811.29	851.86
412.5	4.1301	4.3366	4.5534	4.7811	5.0202	330.41	346.93	364.27	382.49	401.62	718.34	754.26	791.96	831.57	873.16
413.0	4.2309	4.4424	4.6645	4.8977	5.1426	338.47	355.39	373.16	391.82	411.41	735.87	772.65	811.29	851.86	894.45
413.5	4.3366	4.5534	4.7811	5.0202	5.2712	346.93	364.27	382.49	401.62	421.70	754.26	791.96	831.57	873.16	916.82
414.0	4.4424	4.6645	4.8977	5.1426	5.3997	355.39	373.16	391.82	411.41	431.98	772.65	811.29	851.86	894.45	939.17
414.5	4.5534	4.7811	5.0202	5.2712	5.5348	364.27	382.49	401.62	421.70	442.78	791.96	831.57	873.16	916.82	962.65
415.0	4.6645	4.8977	5.1426	5.3997	5.6697	373.16	391.82	411.41	431.98	453.58	811.29	851.86	894.45	939.17	986.13
415.5	4.7811	5.0202	5.2712	5.5348	5.8115	382.49	401.62	421.70	442.78	464.92	831.57	873.16	916.82	962.65	1010.78
416.0	4.8977	5.1426	5.3997	5.6697	5.9532	391.82	411.41	431.98	453.58	476.26	851.86	894.45	939.17	986.13	1035.44
416.5	5.0202	5.2712	5.5348	5.8115	6.1021	401.62	421.70	442.78	464.92	488.17	873.16	916.82	962.65	1010.78	1061.33
417.0	5.1426	5.3997	5.6697	5.9532	6.2509	411.41	431.98	453.58	476.26	500.07	894.45	939.17	986.13	1035.44	1087.20
417.5	5.2712	5.5348	5.8115	6.1021	6.4072	421.70	442.78	464.92	488.17	512.58	916.82	962.65	1010.78	1061.33	1114.40
418.0	5.3997	5.6697	5.9532	6.2509	6.5634	431.98	453.58	476.26	500.07	525.07	939.17	986.13	1035.44	1087.20	1141.55
418.5	5.5348	5.8115	6.1021	6.4072	6.7276	442.78	464.92	488.17	512.58	538.21	962.65	1010.78	1061.33	1114.40	1170.12
419.0	5.6697	5.9532	6.2509	6.5634	6.8916	453.58	476.26	500.07	525.07	551.33	986.13	1035.44	1087.20	1141.55	1198.65
419.5	5.8115	6.1021	6.4072	6.7276	7.0640	464.92	488.17	512.58	538.21	565.12	1010.78	1061.33	1114.40	1170.12	1228.63
420.0	5.9532	6.2509	6.5634	6.8916	7.2362	476.26	500.07	525.07	551.33	578.90	1035.44	1087.20	1141.55	1198.65	1258.59
420.5	6.1021	6.4072	6.7276	7.0640	7.4172	488.17	512.58	538.21	565.12	593.38	1061.33	1114.40	1170.12	1228.63	1290.07
421.0	6.2509	6.5634	6.8916	7.2362	7.5980	500.07	525.07	551.33	578.90	607.84	1087.20	1141.55	1198.65	1258.59	1321.50
421.5	6.4072	6.7276	7.0640	7.4172	7.7881	512.58	538.21	565.12	593.38	623.05	1114.40	1170.12	1228.63	1290.07	1354.57
422.0	6.5634	6.8916	7.2362	7.5980	7.9779	525.07	551.33	578.90	607.84	638.23	1141.55	1198.65	1258.59	1321.50	1387.58
422.5	6.7276	7.0640	7.4172	7.7881	8.1775	538.21	565.12	593.38	623.05	654.20	1170.12	1228.63	1290.07	1354.57	1422.30
423.0	6.8916	7.2362	7.5980	7.9779	8.3768	551.33	578.90	607.84	638.23	670.14	1198.65	1258.59	1321.50	1387.58	1456.95
423.5	7.0640	7.4172	7.7881	8.1775	8.5864	565.12	593.38	623.05	654.20	686.91	1228.63	1290.07	1354.57	1422.30	1493.41
424.0	7.2362	7.5980	7.9779	8.3768	8.7956	578.90	607.84	638.23	670.14	703.65	1258.59	1321.50	1387.58	1456.95	1529.81
424.5	7.4172	7.7881	8.1775	8.5864	9.0157	593.38	623.05	654.20	686.91	721.26	1290.07	1354.57	1422.30	1493.41	1568.09
425.0	7.5980	7.9779	8.3768	8.7956	9.2354	607.84	638.23	670.14	703.65	738.83	1321.50	1387.58	1456.95	1529.81	1606.29
425.5	7.7881	8.1775	8.5864	9.0157	9.4665	623.05	654.20	686.91	721.26	757.32	1354.57	1422.30	1493.41	1568.09	1646.49
426.0	7.9779	8.3768	8.7956	9.2354	9.6972	638.23	670.14	703.65	738.83	775.78	1387.58	1456.95	1529.81	1606.29	1686.62
426.5	8.1775	8.5864	9.0157	9.4665	9.9398	654.20	686.91	721.26	757.32	795.18	1422.30	1493.41	1568.09	1646.49	1770.96
427.0	8.3768	8.7956	9.2354	9.6972	10.1821	670.14	703.65	738.83	775.78	814.57	1456.95	1529.81	1606.29	1686.62	1815.24
427.5	8.5864	9.0157	9.4665	9.9398	10.4368	686.91	721.26	757.32	795.18	834.94	1493.41	1568.09	1646.49	1728.80	1859.51
428.0	8.7956	9.2354	9.6972	10.1821	10.6912	703.65	738.83	775.78	814.57	855.30	1529.81	1606.29	1686.62	1770.96	

Exhibit "D"

SCHEDULE D
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
428.5	9.0157	9.4665	9.9398	10.4368	10.9586	721.26	757.32	795.18	834.94	876.69	1568.09	1646.49	1728.80	1815.24	1906.01
429.0	9.2354	9.6972	10.1821	10.6912	11.2258	738.83	775.78	814.57	855.30	898.06	1606.29	1686.62	1770.96	1859.51	1952.47
429.5	9.4665	9.9398	10.4368	10.9586	11.5065	757.32	795.18	834.94	876.69	920.52	1646.49	1728.80	1815.24	1906.01	2001.30
430.0	9.6972	10.1821	10.6912	11.2258	11.7871	775.78	814.57	855.30	898.06	942.97	1686.62	1770.96	1859.51	1952.47	2050.11
430.5	9.9398	10.4368	10.9586	11.5065	12.0818	795.18	834.94	876.69	920.52	966.54	1728.80	1815.24	1906.01	2001.30	2101.35
431.0	10.1821	10.6912	11.2258	11.7871	12.3765	814.57	855.30	898.06	942.97	990.12	1770.96	1859.51	1952.47	2050.11	2152.62
431.5	10.4368	10.9586	11.5065	12.0818	12.6859	834.94	876.69	920.52	966.54	1014.87	1815.24	1906.01	2001.30	2101.35	2206.43
432.0	10.6912	11.2258	11.7871	12.3765	12.9953	855.30	898.06	942.97	990.12	1039.62	1859.51	1952.47	2050.11	2152.62	2260.24
432.5	10.9586	11.5065	12.0818	12.6859	13.3202	876.69	920.52	966.54	1014.87	1065.62	1906.01	2001.30	2101.35	2206.43	2316.76
433.0	11.2258	11.7871	12.3765	12.9953	13.6451	898.06	942.97	990.12	1039.62	1091.61	1952.47	2050.11	2152.62	2260.24	2373.27
433.5	11.5065	12.0818	12.6859	13.3202	13.9862	920.52	966.54	1014.87	1065.62	1118.90	2001.30	2101.35	2206.43	2316.76	2432.60
434.0	11.7871	12.3765	12.9953	13.6451	14.3274	942.97	990.12	1039.62	1091.61	1146.19	2050.11	2152.62	2260.24	2373.27	2491.93
434.5	12.0818	12.6859	13.3202	13.9862	14.6855	966.54	1014.87	1065.62	1118.90	1174.84	2101.35	2206.43	2316.76	2432.60	2554.22
435.0	12.3765	12.9953	13.6451	14.3274	15.0438	990.12	1039.62	1091.61	1146.19	1203.50	2152.62	2260.24	2373.27	2491.93	2616.53
435.5	12.6859	13.3202	13.9862	14.6855	15.4198	1014.87	1065.62	1118.90	1174.84	1233.58	2206.43	2316.76	2432.60	2554.22	2681.93
436.0	12.9953	13.6451	14.3274	15.0438	15.7960	1039.62	1091.61	1146.19	1203.50	1263.68	2260.24	2373.27	2491.93	2616.53	2747.37
436.5	13.3202	13.9862	14.6855	15.4198	16.1908	1065.62	1118.90	1174.84	1233.58	1295.26	2316.76	2432.60	2554.22	2681.93	2816.02
437.0	13.6451	14.3274	15.0438	15.7960	16.5858	1091.61	1146.19	1203.50	1263.68	1326.86	2373.27	2491.93	2616.53	2747.37	2884.73
437.5	13.9862	14.6855	15.4198	16.1908	17.0003	1118.90	1174.84	1233.58	1295.26	1360.02	2432.60	2554.22	2681.93	2816.02	2956.82
438.0	14.3274	15.0438	15.7960	16.5858	17.4151	1146.19	1203.50	1263.68	1326.86	1393.21	2491.93	2616.53	2747.37	2884.73	3028.98
438.5	14.6855	15.4198	16.1908	17.0003	17.8503	1174.84	1233.58	1295.26	1360.02	1428.02	2554.22	2681.93	2816.02	2956.82	3104.66
439.0	15.0438	15.7960	16.5858	17.4151	18.2859	1203.50	1263.68	1326.86	1393.21	1462.87	2616.53	2747.37	2884.73	3028.98	3180.43
439.5	15.4198	16.1908	17.0003	17.8503	18.7428	1233.58	1295.26	1360.02	1428.02	1499.42	2681.93	2816.02	2956.82	3104.66	3259.89
440.0	15.7960	16.5858	17.4151	18.2859	19.2002	1263.68	1326.86	1393.21	1462.87	1536.02	2747.37	2884.73	3028.98	3180.43	3339.46
440.5	16.1908	17.0003	17.8503	18.7428	19.6799	1295.26	1360.02	1428.02	1499.42	1574.39	2816.02	2956.82	3104.66	3259.89	3422.88
529.0	9.4379	9.9098	10.4053	10.9256	11.4719	755.03	792.78	832.42	874.05	917.75	1641.51	1723.58	1809.76	1900.27	1995.28
530.0	9.9098	10.4053	10.9256	11.4719	12.0455	792.78	832.42	874.05	917.75	963.64	1723.58	1809.76	1900.27	1995.28	2095.05
531.0	10.4053	10.9256	11.4719	12.0455	12.6478	832.42	874.05	917.75	963.64	1011.82	1809.76	1900.27	1995.28	2095.05	2199.80
532.0	10.9256	11.4719	12.0455	12.6478	13.2802	874.05	917.75	963.64	1011.82	1062.42	1900.27	1995.28	2095.05	2199.80	2309.81
627.0	8.6721	9.1057	9.5610	10.0391	10.5411	693.77	728.46	764.88	803.13	843.29	1508.33	1583.74	1662.93	1746.08	1833.40
627.5	8.8889	9.3333	9.8000	10.2900	10.8045	711.11	746.66	784.00	823.20	864.36	1546.02	1623.31	1704.49	1789.72	1879.21
628.0	9.1057	9.5610	10.0391	10.5411	11.0682	728.46	764.88	803.13	843.29	885.46	1583.74	1662.93	1746.08	1833.40	1925.08
628.5	9.3333	9.8000	10.2900	10.8045	11.3447	746.66	784.00	823.20	864.36	907.58	1623.31	1704.49	1789.72	1879.21	1973.17
629.0	9.5610	10.0391	10.5411	11.0682	11.6216	764.88	803.13	843.29	885.46	929.73	1662.93	1746.08	1833.40	1925.08	2021.33
629.5	9.8000	10.2900	10.8045	11.3447	11.9119	784.00	823.20	864.36	907.58	952.95	1704.49	1789.72	1879.21	1973.17	2071.81
630.0	10.0391	10.5411	11.0682	11.6216	12.2027	803.13	843.29	885.46	929.73	976.22	1746.08	1833.40	1925.08	2021.33	2122.40
630.5	10.2900	10.8045	11.3447	11.9119	12.5075	823.20	864.36	907.58	952.95	1000.60	1789.72	1879.21	1973.17	2071.81	2175.40
631.0	10.5411	11.0682	11.6216	12.2027	12.8128	843.29	885.46	929.73	976.22	1025.02	1833.40	1925.08	2021.33	2122.40	2228.50

SCHEDULE D
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/04/78

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
631.	510.8045	11.3447	11.9119	12.5075	13.1329	864.36	907.58	952.95	1000.60	1050.63	1879.21	1973.17	2071.81	2175.40	2284.17
632.	011.0682	11.6216	12.2027	12.8128	13.4534	885.46	929.73	976.22	1025.02	1076.27	1925.08	2021.33	2122.40	2228.50	2339.92
632.	511.3447	11.9119	12.5075	13.1329	13.7895	907.58	952.95	1000.60	1050.63	1103.16	1973.17	2071.81	2175.40	2284.17	2398.38
633.	011.6216	12.2027	12.8128	13.4534	14.1261	929.73	976.22	1025.02	1076.27	1130.09	2021.33	2122.40	2228.50	2339.92	2456.93
633.	511.9119	12.5075	13.1329	13.7895	14.4790	952.95	1000.60	1050.63	1103.16	1158.32	2071.81	2175.40	2284.17	2398.38	2518.30

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Schedule E
Unclassified Management and
Council Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective July 4, 1978

	Rate	A	B	C	D	E
Council Appointed						
City Manager	Hourly					22.4525
	Biweekly					1,796.20
	Monthly					3,905.12
City Attorney	Hourly					19.1013
	Biweekly					1,528.10
	Monthly					3,322.24
City Clerk and Auditor	Hourly	10.4847	11.0089	11.5593	12.1373	12.7442
	Biweekly	838.78	880.71	924.74	970.98	1,019.54
	Monthly	1,823.59	1,914.75	2,010.48	2,111.01	2,216.58
Unclassified Management						
Director of Finance	Hourly	13.3160	13.9818	14.6809	15.4149	16.1856
	Biweekly	1,065.28	1,118.54	1,174.47	1,233.19	1,294.85
	Monthly	2,316.03	2,431.82	2,553.41	2,681.08	2,815.13
Director of Management Services	Hourly	12.9953	13.6451	14.3274	15.0438	15.7960
	Biweekly	1,039.62	1,091.61	1,146.19	1,203.50	1,263.68
	Monthly	2,260.24	2,373.27	2,491.93	2,616.53	2,747.37
Director of Parking and Traffic	Hourly	13.3160	13.9818	14.6809	15.4149	16.1856
	Biweekly	1,065.28	1,118.54	1,174.47	1,233.19	1,294.85
	Monthly	2,316.03	2,431.82	2,553.42	2,681.08	2,815.13
Director of Parks and Recreation	Hourly	13.6498	14.3323	15.0489	15.8013	16.5914
	Biweekly	1,091.98	1,146.58	1,203.91	1,264.10	1,327.31
	Monthly	2,374.07	2,492.78	2,617.42	2,748.28	2,885.70
Director of Planning and Community Development	Hourly	13.3160	13.9818	14.6809	15.4149	16.1856
	Biweekly	1,065.28	1,118.54	1,174.47	1,233.19	1,294.85
	Monthly	2,316.03	2,431.82	2,553.42	2,681.08	2,815.13
Director of Public Works and City Engineer	Hourly	15.7147	16.5004	17.3254	18.1917	19.1013
	Biweekly	1,257.18	1,320.03	1,386.03	1,455.34	1,528.10
	Monthly	2,733.23	2,869.87	3,013.37	3,164.05	3,322.24
Fire Chief	Hourly	13.1193	13.7753	14.4641	15.1873	15.9467
	Biweekly	1,049.54	1,102.02	1,157.13	1,214.98	1,275.74
	Monthly	2,281.80	2,395.90	2,515.71	2,641.49	2,773.58
Chief of Police	Hourly	13.6498	14.3323	15.0489	15.8013	16.5914
	Biweekly	1,091.98	1,146.58	1,203.91	1,264.10	1,327.31
	Monthly	2,374.07	2,492.78	2,617.42	2,748.28	2,885.70

Exhibit "E"

CITY OF MODESTO

ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE

1978-79

(Effective 7-4-78, except as noted herein. Amended 2-20-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
432.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
124.5	Arborist (Add eff. 1-16-79)
122.0	Assistant Building Inspector
433.0	Assistant Chief of Police
434.0	Assistant City Attorney
426.5	Assistant City Clerk
429.0	Assistant Civil Engineer
430.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician (Add eff. 12-19-78)
122.5	Assistant Electrician
432.0	Assistant Fire Chief (Delete 11-13-78)
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
529.0	Battalion Chief (Delete 11-13-78)
426.0	Budget Accountant
125.0	Building Inspector
124.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
426.5	Civil Engineering Technician IV (Delete 12-19-78)
126.5	Civil Engineering Technician IV (Add eff. 12-19-78)
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
122.0	Equipment Mechanic
120.5	Equipment Operator
427.0	Equipment Repair Shop Supervisor
119.0	Equipment Service Worker

Range No.	Title of Classification
	Financial Specialist
0.5	Fire Battalion Chief (Add eff. 11-13-78)
9.0	Fire Chief
A	Fire Engineer
1.0	Fire Fighter
0.0	Fire Lieutenant
3.0	Fire Prevention Inspector Trainee
2.0	
	Heavy Equipment Operator
2.5	Housing Conservationist
0.5	Housing Program Officer
2.0	
15.0	Industrial Waste Inspector
	Janitor
16.5	Junior Accountant
23.0	Junior Civil Engineer
26.0	Junior Planner
23.0	
14.5	Keypunch Operator
22.5	Laboratory Technician
16.5	Laborer (Unclassified eff. 1-15-79)
26.0	Landscape Designer
26.0	Lead Building Inspector (Delete 12-19-78)
25.0	Lead Coach Mechanic (Add eff. 10-16-78)
26.0	Lead Electrician (Delete 12-19-78)
23.0	Lead Equipment Mechanic
18.5	Legal Secretary
16.5	Maintenance Worker (Add eff. 1-16-79)
29.0	Management Assistant
29.0	Management Assistant (Risk Manager)
13.5	Microfilm and Graphics Technician
15.5	Microfilm and Graphics Technician II
20.5	Motor Sweeper Operator
24.0	Museum Supervisor
22.5	Nursery Propagator
13.5	Office Services Clerk
22.5	Office Services Supervisor
17.5	Offset Duplicating Equipment Operator
22.5	Parking and Traffic Leadworker
20.5	Parking and Traffic Maintenance Worker
22.5	Parks Maintenance Leadworker
24.5	Parks Maintenance Supervisor I
26.5	Parks Maintenance Supervisor II
12.0	Parks Maintenance Trainee (Delete 12-19-78)
18.5	Parks Maintenance Worker I
20.5	Parks Maintenance Worker II
33.0	Parks and Recreation Superintendent
13.5	Personnel Clerk I
16.5	Personnel Clerk II
32.0	Personnel Manager
20.5	Personnel Technician I
23.5	Personnel Technician II
26.0	Plan Review Engineer I
29.0	Plan Review Engineer II
17.5	Planning Technician I
20.5	Planning Technician II
23.5	Planning Technician III
32.0	Police Captain
30.0	Police Lieutenant
31.0	Police Officer
17.5	Police Property Clerk
25.0	Police Records Supervisor
27.0	Police Sergeant
26.0	Programmer Analyst
30.0	Property Agent
25.0	Public Services Inspector
14.5	Public Services Trainee
22.5	Public Works Leadworker

ALPHABETICAL LISTING (Continued)

Page No.	Title of Classification	Range No.
12.0	Public Works Maintenance Trainee (Delete 12-19-78)	113.5
16.5	Public Works Maintenance Worker I	429.0
18.5	Public Works Maintenance Worker II	120.5
24.5	Public Works Supervisor I	122.5
26.5	Public Works Supervisor II	111.5
20.5	Pump Maintenance Worker	113.5
24.0	Purchasing Assistant	
29.0	Purchasing Officer	
	Recreation Supervisor	424.5
26.0	Recreation Program Supervisor (Add eff. 12-19-78)	118.5
17.5	Rehabilitation Specialist	122.5
25.0	Secretary I	120.5
16.5	Secretary II	122.5
15.5	Secretary to the City Attorney	426.5
2.5	Secretary to the City Manager	432.0
21.5	Senior Building Inspector	114.5
20.5	Senior Equipment Mechanic	116.5
24.0	Senior Planner	113.5
32.0	Senior Rehabilitation Specialist	
20.5	Social Services Coordinator	125.0
25.5	Stenographer Clerk	
1.5	Storeskeeper I	
10.5	Storeskeeper II	
20.5	Street Trees Maintenance Worker I:	
2.5	Supervising Building Inspector (Add eff. 12-19-78)	
15.5	Supervising Clerk I	

Page No.	Title of Classification	Range No.
4.5	Telephone Operator-Receptionist	113.5
30.0	Transit Manager	429.0
12.5	Tree Trimmer I	120.5
14.5	Tree Trimmer II	122.5
6.5	Typist Clerk I	111.5
8.5	Typist Clerk II	113.5
28.0	Warehouse Supervisor	424.5
22.5	Wastewater Treatment Plant Attendant	118.5
27.5	Wastewater Treatment Plant Mechanic	122.5
23.5	Wastewater Treatment Plant Operator I	120.5
25.5	Wastewater Treatment Plant Operator II	122.5
29.5	Wastewater Treatment Plant Supervisor	426.5
31.5	Water Quality Control Superintendent	432.0
18.5	Word Processing Technician I	114.5
20.5	Word Processing Technician II	116.5
22.5	Word Processing Trainee	113.5
12.5	Zoning Inspector	

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1978-79

(Effective 7-4-78, except as noted herein. Amended 2-20-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
42[illegible].0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
124.5	Arborist (Add eff. 1-16-79)
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
426.5	Assistant City Clerk
429.0	Assistant Civil Engineer
430.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician (Add eff. 12-19-78)
122.5	Assistant Electrician
432.0	Assistant Fire Chief (Delete 11-13-78)
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
529.0	Battalion Chief (Delete 11-13-78)
426.0	Budget Accountant
125.0	Building Inspector
124.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
426.5	Civil Engineering Technician IV (Delete 12-19-78)
126.5	Civil Engineering Technician IV (Add eff. 12-19-78)
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
122.0	Equipment Mechanic
120.5	Equipment Operator
427.0	Equipment Repair Shop Supervisor
119.0	Equipment Service Worker

Exhibit "F"

Range No.	Title of Classification
	Financial Specialist
0.5	Fire Battalion Chief (Add eff. 11-13-78)
9.0	Fire Chief
A	Fire Engineer
1.0	Fire Fighter
0.0	Fire Lieutenant
3.0	Fire Prevention Inspector Trainee
2.0	
	Heavy Equipment Operator
2.5	Housing Conservationist
0.5	Housing Program Officer
2.0	
5.0	Industrial Waste Inspector
	Janitor
6.5	Junior Accountant
3.0	Junior Civil Engineer
6.0	Junior Planner
3.0	
4.5	Keypunch Operator
2.5	Laboratory Technician
6.5	Laborer (Unclassified eff. 1-15-79)
6.0	Landscape Designer
6.0	Lead Building Inspector (Delete 12-19-78)
5.0	Lead Coach Mechanic (Add eff. 10-15-78)
6.0	Lead Electrician (Delete 12-19-78)
3.0	Lead Equipment Mechanic
8.5	Legal Secretary
6.5	Maintenance Worker (Add eff. 1-16-79)
9.0	Management Assistant
9.0	Management Assistant (Risk Manager)
3.5	Microfilm and Graphics Technician
5.5	Microfilm and Graphics Technician II
0.5	Motor Sweeper Operator
4.0	Museum Supervisor
2.5	Nursery Propagator
3.5	Office Services Clerk
2.5	Office Services Supervisor
7.5	Offset Duplicating Equipment Operator
2.5	Parking and Traffic Leadworker
0.5	Parking and Traffic Maintenance Worker
2.5	Parks Maintenance Leadworker
4.5	Parks Maintenance Supervisor I
6.5	Parks Maintenance Supervisor II
2.0	Parks Maintenance Trainee (Delete 12-19-78)
8.5	Parks Maintenance Worker I
0.5	Parks Maintenance Worker II
0.0	Parks and Recreation Superintendent
3.5	Personnel Clerk I
6.5	Personnel Clerk II
2.0	Personnel Manager
0.5	Personnel Technician I
3.5	Personnel Technician II
6.0	Plan Review Engineer I
9.0	Plan Review Engineer II
7.5	Planning Technician I
0.5	Planning Technician II
3.5	Planning Technician III
2.0	Police Captain
9.0	Police Lieutenant
0.0	Police Officer
7.5	Police Property Clerk
5.0	Police Records Supervisor
7.0	Police Sergeant
6.0	Programmer Analyst
0.0	Property Agent
5.0	Public Services Inspector
4.5	Public Services Trainee
2.5	Public Works Leadworker

Range No.	Title of Classification
	Public Works Maintenance Trainee (Delete 12-19-78)
12.0	Public Works Maintenance Worker I
16.5	Public Works Maintenance Worker II
20.5	Public Works Supervisor I
24.5	Public Works Supervisor II
26.5	Pump Maintenance Worker
20.5	Purchasing Assistant
24.0	Purchasing Officer
29.0	
	Recreation Supervisor
16.0	Recreation Program Supervisor (Add eff. 12-19-78)
17.5	Rehabilitation Specialist
25.0	Secretary I
16.5	Secretary II
18.5	Secretary to the City Attorney
20.5	Secretary to the City Manager
21.5	Senior Building Inspector
26.5	Senior Equipment Mechanic
24.0	Senior Planner
32.0	Senior Rehabilitation Specialist
26.0	Social Services Coordinator
23.5	Stenographer Clerk
14.5	Storeskeeper I
18.5	Storeskeeper II
20.5	Street Trees Maintenance Worker II
20.5	Supervising Building Inspector (Add eff. 12-19-78)
18.0	Supervising Clerk I
16.5	

Range No.	Title of Classification
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
125.0	Zoning Inspector

MODESTO CITY COUNCIL
RESOLUTION NO. 79-166

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 79-165 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 79-165. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1978-79" attached to Resolution No. 79-165, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1978-79", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Police Sergeant from Range 627.0 and adds said classification of Police Sergeant to Range 628.0.

SECTION 2. EFFECTIVE DATE. This resolution shall become effective on and after February 27, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1978-79

(Effective 7-4-78, except as noted herein. Amended 2-20-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
432.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
124.5	Arborist (Add eff. 1-16-79)
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician (Add eff. 12-19-78)
122.5	Assistant Electrician
532.0	Assistant Fire Chief (Delete 11-13-78)
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
529.0	Battalion Chief (Delete 11-13-78)
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
426.5	Civil Engineering Technician IV (Delete 12-19-78)
126.5	Civil Engineering Technician IV (Add eff. 12-19-7
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
122.0	Equipment Mechanic
120.5	Equipment Operator
427.0	Equipment Repair Shop Supervisor
119.0	Equipment Service Worker

wpc 2-21-

Exhibit "F"

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief (Add eff. 11-13-78)
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
116.5	Laborer (Unclassified eff. 1-16-79)
426.0	Landscape Designer
428.0	Lead Building Inspector (Delete 12-19-78)
125.0	Lead Coach Mechanic (Add eff. 10-16-78)
126.0	Lead Electrician (Delete 12-19-78)
123.0	Lead Equipment Mechanic
418.5	Legal Secretary
116.5	Maintenance Worker (Add eff. 1-16-79)
429.0	Management Assistant
429.0	Management Assistant (Risk Manager)
113.5	Microfilm and Graphics Technician
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
113.5	Office Services Clerk
122.5	Office Services Supervisor
117.5	Offset Duplicating Equipment Operator
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
112.0	Parks Maintenance Trainee (Delete 12-19-78)
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
433.0	Parks and Recreation Superintendent
413.5	Personnel Clerk I
416.5	Personnel Clerk II
432.0	Personnel Manager
420.5	Personnel Technician I
423.5	Personnel Technician II
426.0	Plan Review Engineer I
429.0	Plan Review Engineer II
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
630.0	Police Lieutenant
310.0	Police Officer
117.5	Police Property Clerk
425.0	Police Records Supervisor
628.0	Police Sergeant (Eff. 2-27-79)
425.0	Police Services Supervisor
426.0	Programmer Analyst
430.0	Property Agent
125.0	Public Services Inspector
114.5	Public Services Trainee
122.5	Public Works Leadworker

Range No.	Title of Classification
112.0	Public Works Maintenance Trainee (Delete 12-19-78)
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
124.0	Purchasing Assistant
429.0	Purchasing Officer
426.0	Recreation Supervisor
117.5	Recreation Program Supervisor (Add eff. 12-19-78)
125.0	Rehabilitation Specialist
116.5	Secretary I
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
426.5	Senior Building Inspector
124.0	Senior Equipment Mechanic
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
423.5	Social Services Coordinator
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector (Add eff. 12-19-78)
116.5	Supervising Clerk I
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
125.0	Zoning Inspector

MODESTO CITY COUNCIL
RESOLUTION NO. 79-167

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND SECTION 19-3-10 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3, PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLAUS ROAD AND ORANGEBURG AVENUE. (MID CAL LAND DEVELOPMENT)

WHEREAS, a verified application to amend Section 19-3-10 of the Zoning Map was filed by Mid Cal Land Development on October 12, 1978, to rezone from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, property located on the northeast corner of Claus Road and Orangeburg Avenue, described as follows:

> All that certain property situate in Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, located in the City of Modesto, County of Stanislaus, State of California, described as follows:
>
> COMMENCING at the northwest corner of said Section 19; thence South 0° 39' 16" West along the west line of Section 19, a distance of 661.18 feet to the true point of beginning of this description; thence continuing South 0° 39' 16" East along the West line of Section 19, a distance of 651.18 feet; thence South 89° 42' 04" East 151.46 feet to the beginning of a tangent curve concave to the North having a radius of 300.00 feet; thence Easterly 186.71 feet along said curve through a central angle of 35° 39' 33" to the beginning of a reverse curve concave to the South having a radius of 300.00 feet; a radial line through said beginning of reverse curve bears North 35° 21' 37" West; thence Easterly 186.71 feet along said curve through a central angle of 35° 39' 33" to a radial line of said curve which bears North 0° 17' 56" East; thence on the prolongation of said radial 536.40 feet; thence North 89° 27' 23" West 512.08 feet to the true point of beginning of this description.
>
> Containing 7.108 acres,

and

WHEREAS, said application was set for a public hearing before the Planning Commission at its regular meeting on December 19, 1978, in the City Council Chambers, in the City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Commission adopted Resolution No. 78-251 recommending to the Council an amendment to Section 19-3-10 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, the above described property, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on February 13, 1979, at which time evidence both oral and documentary was taken and introduced, and thereafter said hearing was closed, the matter considered by the City Council, and continued to February 20, 1979, for further consideration by the City Council, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto has determined that the proposed rezoning from Single Family Residential Zone, R-1, to Medium High Density Residential Zone, R-3, should be denied for the following reason:

> The depth of the requested rezoning from Claus Road (the major street frontage) exceeds the 300 feet in the Modesto Urban Area General Plan neighborhood prototype.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed rezoning, as recommended by the Planning Commission in its Resolution No. 78-251, to rezone from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, of the above described property, be denied for the reason set forth above.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Section 19-3-10 of the Zoning Map of the City of Modesto to rezone certain property located thereon.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Lang, Siefkin, Mayor Davies

NOES: Councilmembers: Elliott, Kullijian, Mensinger

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-168

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY SAN JOAQUIN FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT REGARDING INTERPRETATION OF THE CITY OF MODESTO'S SIGN ORDINANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 20, 1979, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by San Joaquin First Federal Savings and Loan Association to a decision of the Board of Zoning Adjustment regarding interpretation of the City of Modesto's sign ordinance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-169

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR HYDROMULCHING AND IRRIGATION SYSTEM AT TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for hydromulching and irrigation system at Tuolumne River Regional Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 13, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** February, 19 79, **by Councilmember** Dunlap, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-170

A RESOLUTION ACCEPTING THE BID OF L. E. McGRAW CONSTRUCTION FOR THE CONSTRUCTION OF MELLIS PARK BASKETBALL COURT

WHEREAS, Resolution No. 79-85 , adopted by the Council of the City of Modesto on February 6, 1979 , approved the plans and specifications for the construction of Mellis Park basketball court

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of Mellis Park basketball court

were opened at 11:00 a.m. on February 20, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of L.E. McGraw Construction in the amount of $9,200.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.E. McGraw Construction in the amount of $9,200.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-171

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, a 1971 7' flail mower, a 1966 post-hole digger, a 1968 scoopmobile and a Gamewell fire alarm system have become surplus property as a result of new equipment purchases,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell to the highest bidder the following items of personal property of the City of Modesto. Said personal property is hereby found to be surplus:

Equipment Number	Year	Unit
6004	1971	7' flail mower
6008	1966	Post-hole digger
50323	1968	Scoopmobile
None	-	Gamewell fire alarm system

SECTION 2. The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-172

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS ORCHARD NEIGHBORHOOD ANNEXATION TO THE CITY OF MODESTO, AND ANNEXING SAID TERRITORY.

WHEREAS, by Resolution No. 79-35, adopted on January 9, 1979, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain inhabited territory known as Orchard Neighborhood Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 79-35, the Council fixed the 27th day of February, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 79-35 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner said publications being completed at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 27th day of February, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory and less than twenty-five (25%) percent of the owners of land who own less than twenty-five (25%) percent of the total assessed value of land within the territory have filed and not withdrawn written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 19 78, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Orchard Neighborhood Annexation to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. A sufficient protest against the proposed annexation of said territory has not been made to require an election.

5. Said territory is hereby annexed to and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Elliott, who moved its adotpion, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

ORCHARD NEIGHBORHOOD ADDITION

All that property in the State of California, County of Stanislaus, being a portion of the South 1/2 of the North 1/2 of Section 14, and all of the South 1/2 of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point bearing North 00° 21' 00" West, 345.64 feet, from the Southwest corner of Section 14;

1. thence continuing along the existing City Limits along the West line of Section 14 and the Eastern line of said ADDITION (230), North 00° 21' 00" West, 976.16 feet, to a Southeastern corner of ROSE ACRES ADDITION (181), as per description filed Septemeber 27, 1965, as Instrument 37370, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (181), North 00° 21' 00" West, 676.00 feet, to the Southeast corner of CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (268), North 00° 21' 00" West, 645.80 feet, to the West 1/4 corner of Section 14;

4. thence leaving the existing City Limits, and continuing along the center line of Oakdale Road, North 00° 21' 00" West, 660.96 feet, to the Southeast corner of OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3 , 1978, as Instrument 7281, Stanislaus County Records;

5. thence along the existing City Limits and the Eastern line of said ADDITION (379), North 00° 21' 00" West, 660.96 feet, to the Northeast 1/4 1/4 corner of Section 14 and the center line of 40.00 foot Floyd Avenue

6. thence leaving the existing City Limits along the center line of said avenue and the 1/4 1/4 Section line, South 89° 33' 41" East, 5249.79 feet, to the Northwest 1/4 1/4 corner of Section 14;

7. thence South 00° 25' 10" East, 2645.95 feet, to the center line of 40.00 foot Merle Avenue;

8. thence South 00° 25' 10" East, 205.00 feet;

9. thence North 89° 34' 50" East, 5.67 feet;

10. thence South 00° 25' 10" East, 1037.08 feet;

11. thence South 89° 34' 50" West, 5.67 feet;

12. thence South 00° 25' 10" East, 82.17 feet, to the Southeast corner of Section 14;

13. thence North 00° 12' 14" West, 12.17 feet, to the center line of the 140.00 foot Modesto Irrigation District Lateral No. 3;

14. thence continuing along the center line of M. I. D. Lateral No. 3, North 89° 43' 14" West, 1651.06 feet;

15. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 44" West, 986.29 feet;

16. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 25' 48" West, 2064.18 feet;

17. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 18" West, 263.85 feet;

18. thence continuing along the center line of M. I. D. Lateral No. 3, along a tangent curve which is concave to the Southwest, having a Central Angle of 35° 18' 12", a Radius of 473.10 feet, and an Arc Length of 295.51 feet;

19. thence continuing along the center line of M. I. D. Lateral No. 3, South 62° 24' 30" West, 42.71 feet to the center line of 100.00 foot Oakdale Road and the point of beginning, containing 459.199 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-173

A RESOLUTION STATING THE INTENTION OF THE CITY OF MODESTO NOT TO SUCCEED TO CALIFORNIA LAND CONSERVATION ACT CONTRACTS IN THE ORCHARD NEIGHBORHOOD ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto on February 27, 1979 adopted City Council Resolution No. 79-172 annexing inhabited territory known as the Orchard Neighborhood Annexation to the City of Modesto, and

WHEREAS, a portion of several parcels of land included in said annexation are subject to California Land Conservation Act Contracts which were approved by the County of Stanislaus, said parcels of land are more fully identified as follows:

Parcel No. 052-21-05, being more fully described in Contract No. 75-1818, adopted on September 3, 1974, and recorded in Volume 2652, pages 791-798, in Instrument No. 10113, of the Official Records of Stanislaus County;

Parcel No. 052-21-04, being more fully described in Contract No. 75-1930 adopted on February 4, 1975, and recorded in Volume 2684, pages 431-439, in Instrument No. 31770, of the Official Records of Stanislaus County;

Parcel No. 052-21-07, being more fully described in Contract No. 75-2019, adopted on January 28, 1975, and recorded in Volume 2684, pages 887-895, in Instrument No. 31972, of the Official Records of Stanislaus County;

Parcel No. 052-22-14, being more fully described in Contract No. 75-1920, adopted on February 11, 1975, and recorded in Volume 2684, pages 315-324, in Instrument No. 31758, of the Official Records of Stanislaus County;

Parcel No. 052-22-16, being more fully described in Contract No. 76-2241, adopted on February 17, 1976, and recorded in Volume 2774, page 392, in Instrument No. 37430, of the Official Records of Stanislaus County,

and

WHEREAS, the City of Modesto by City Council resolutions duly filed its protests to the said contracts with the Local Agency Formation Commission, said resolutions protesting said contracts are more fully identified as follows:

Modesto City Council Resolution No. 74-241 adopted on April 8, 1974 protesting Contract No. 75-1818;

Modesto City Council Resolution No. 75-249 adopted on February 3, 1975 protesting Contract No. 75-2019;

Modesto City Council Resolution No. 75-33 adopted on January 13, 1975 protesting Contract No. 75-1920;

Modesto City Council Resolution No. 75-243 adopted on February 3, 1975 protesting Contract No. 75-1930;

Modesto City Council Resolution No. 76-277 adopted on February 9, 1976 protesting Contract No. 76-2241,

and

WHEREAS, the Local Agency Formation Commission upheld said protests by resolutions adopted as follows:

LAFCO Resolution adopted on March 29, 1978 upholding City's protest in regard to Contract No. 75-1818;

LAFCO Resolution adopted on March 29, 1978 upholding City's protest in regard to Contract No. 75-2019;

LAFCO Resolution adopted on March 29, 1978 upholding City's protest in regard to Contract No. 75-1920;

LAFCO Resolution adopted on March 29, 1978 upholding City's protest in regard to Contract No. 75-1930;

LAFCO Resolution adopted on April 19, 1978 upholding City's protest in regard to Contract No. 76-2241,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto, pursuant to the provisions of Government Code Section 51243, hereby states its intention not to succeed and does not succeed to the above described California Land Conservation Act Contracts in the Orchard Neighborhood Annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Dunlap, was upon roll call carried and the resolution

adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-174

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN INHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS KANSAS AVENUE NO. 2 ANNEXATION TO THE CITY OF MODESTO, AND ANNEXING SAID TERRITORY.

WHEREAS, by Resolution No. 79-36, adopted on January 9, 1979, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain inhabited territory known as Kansas Avenue No. 2 Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 79-36, the Council fixed the 27th day of February, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 79-36 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto, for the time and in the manner said publications being completed at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 27th day of February, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, less than twenty-five (25%) percent of the registered voters within the territory and less than twenty-five (25%) percent of the owners of land who own less than twenty-five (25%) percent of the total assessed value of land within the territory have filed and not withdrawn written protests prior to the close of said hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated November 29, 1978, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Kansas Avenue No. 2 Annexation to the City of Modesto, is inhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. A sufficient protest against the proposed annexation of said territory has not been made to require an election.

5. Said territory is hereby annexed to and made a part of the City of Modesto.

6. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

KANSAS AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the KANSAS AVENUE ADDITION (378), as per description filed July 24, 1978, as Instrument 4617, Stanislaus County Records, said corner being the intersection of the center lines of Kansas Avenue and Emerald Avenue, which lies 20 feet Westerly from the interior quarter corner of Section 30;

1. thence continuing along the existing City Limits and the center line of 60.00 foot Emerald Avenue, South 00° 30' 00" East, 268.87 feet;

2. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 88° 28' 38" West, 684.03 feet;

3. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 89° 47' 54" West, 801.21 feet;

4. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 86° 20' 47" West, 495.02 feet;

5. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 81° 06' 57" West, 543.24 feet;

6. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 47° 50' 35" West, 125.90 feet;

7. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 89° 11' 07" West, 45.00 feet to the center line 90.00 foot Carpenter Road;

8. thence leaving the existing City Limits along the center line of said road, North 00° 48' 53" West, 96.10 feet, to the center line of 40.00 foot Kansas Avenue;

9. thence continuing along the center line of said avenue, South 89° 45' 30" East, 855.37 feet, to the intersection of 40.00 foot Reno Avenue;

10. thence along the center line of 40.00 foot Reno Avenue, North 04° 26' 00" West, 66.53 feet;

11. thence continuing along the center line of said avenue, North 09° 14' 00" East, 66.00 feet;

12. thence continuing along the center line of said avenue, North 25° 41' 00" East, 214.50 feet;

13. thence continuing along the center line of said avenue, North 07° 17' 00" East, 66.00 feet;

14. thence continuing along the center line of said avenue, North 13° 20' 40" West, 82.50 feet;

15. thence continuing along the center line of said avenue, North 34° 10' 40" West, 99.00 feet;

16. thence continuing along the center line of said avenue, North 54° 27' 20" West, 249.55 feet;

17. thence continuing along the center line of said avenue, North 00° 53' 15" West, 610.77 feet;

18. thence South 89° 26' 27" East, 1324.31 feet, to the center line of 40.00 foot Lone Palm Avenue;

19. thence continuing along the center line of 40.00 foot Lone Palm Avenue, South 00° 34' 00" East, 1300.19 feet, to the center line of 40.00 Kansas Avenue;

20. thence along the center line of said avenue, South 89° 45' 30" East, 639.80 feet, to the point of beginning, containing 52.474 Acres, more or less.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 19 79, by Councilmember Kullijian, who moved its adotpion, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-175

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR A BLOCK GRANT FOR HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, the U.S. Department of Housing and Urban Development has funds available for Housing and Community Development Block Grants under the Housing and Community Development Act of 1974, and

WHEREAS, the Rules and Regulations relating to said Housing and Community Development Block Grants set forth the eligible activities which may be carried out if a community receives a block grant for housing and community development, and

WHEREAS, the City of Modesto feels that it qualifies to receive such a block grant from the U.S. Department of Housing and Urban Development and wishes to file an application therefor.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The City Council hereby authorizes the filing of an application with the U.S. Department of Housing and Urban Development for a Block Grant for Housing and Community Development under the Housing and Community Development Act of 1974.

2. That the City Manager of the City of Modesto is hereby authorized and directed to sign and file said application on behalf of the City of Modesto and is hereby designated as the City of Modesto's authorized representative to act in connection with said application and to provide such additional information as may be required.

The foregoing resolution was introduced at a regular meeting of

the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-176

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND E. DWAIN ROBERTSON FOR LEASE OF THE FORMER BOMBERGER HOUSE LOCATED ON FUTURE DRY CREEK PARK AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and E. Dwain Robertson for lease of the former Bomberger house located on future Dry Creek Park area be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-177

A RESOLUTION AMENDING SECTION 13.1 RELATING TO HOURS OF WORK, SECTION 13.2 RELATING TO OVERTIME, PARAGRAPH (b) OF SECTION 13.3 RELATING TO HOLIDAYS AND PARAGRAPH (a) OF SECTION 13.4 RELATING TO VACATIONS, OF THE PERSONNEL RULES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Manager has recommended an amendment to Section 13.1 relating to hours of work, Section 13.2 relating to overtime, paragraph (b) of Section 13.3 relating to holidays, and paragraph (a) of Section 13.4 relating to vacations, and

WHEREAS, the City Council has reviewed the amendment of Section 13.1, Section 13.2, paragraph (b) of Section 13.3, and paragraph (a) of Section 13.4 of the Personnel Rules as recommended by the City Manager and finds that said proposed amendments promote the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 13.1 of the Personnel Rules be amended to read as follows:

13.1 Hours of Work

(a) All Employees Except Fire Department Personnel. All full-time City employees except designated Fire Department personnel shall, except as otherwise authorized by the City Manager, work a minimum of forty hours a week, normally to be composed of five consecutive days of eight hours each, not including time taken for meals except as noted herein.

The City Manager may designate certain personnel to work a straight eight hour shift and, in these cases, if the nature of the work makes it advisable, he may further direct that time for one meal each full shift may be considered time worked. Employees may be required to report early or to remain after shift for purposes of briefing or instruction, without compensation.

In addition to "on-the-job" training and other training sessions during the normal working shift, employees are encouraged to take such additional training during off-duty time without compensation as is necessary to obtain and maintain high standards of performance and provide opportunity for advancement within the City service.

The days and hours to be worked by each employee and the type of training shall be established by his department head.

(b) All Fire Department Personnel working in a class for which safety membership in the Public Employees' Retirement System is required shall be on duty an average minimum of fifty-six hours a week (eff. 1-1-72), except that:

(1) The Fire Chief and Fire Battalion Chiefs assigned as Fire Marshal and Operations Officer shall be on duty forty hours per week; and

(2) The Fire Chief, with the approval of the City Manager, may designate for the Fire Lieutenant assigned as property control officer a special work week not to exceed fifty-six hours, nor to be less than forty hours per week.

The regular hours and days of duty shall be established by the Fire Chief.

SECTION 2. That Section 13.2 of the Personnel Rules be amended to read as follows:

13.2 Overtime

The following provisions shall apply to all City employees except department and division heads and other personnel who are designated management or confidential employees by the appointing authority and are compensated on the basis of responsibilities carried, rather than time spent on the job. However, the City Manager may grant management or confidential leave time to the latter.

It is the policy of the City that paid overtime be held to a reasonable minimum. The City Manager shall establish administrative rules governing paid overtime, subject to the following:

(a) Time worked beyond regularly scheduled hours may be compensated by equivalent time off within the eighty hour pay period, to be taken as directed by the department head, with due regard for the wishes of the employee, and particular regard for the needs of the City. If time worked beyond regularly scheduled hours is not taken as equivalent time off within the pay period, it shall be paid for at the rate of time and one-half. Upon termination, an employee shall be paid for authorized accumulated recorded overtime.

(b) Overtime of more than one hour total in an eighty-hour pay period shall be compensated.

(c) Call Back. Any employee, unless on regular stand-by duty, shall receive a minimum of two hours overtime credit for any call which requires him to return to duty for emergency, exceptional, or unusual reasons.

(d) Stand-by Duty. Procedures governing compensation for employees on regular stand-by duty shall be established by the City Manager.

SECTION 3. That paragraph (b) of Section 13.3 of the Personnel Rules be amended to read as follows:

13.3 Holidays

(b) Any City Employee, except fire personnel working a fifty-six hour shift, and those employed on a per diem or hourly basis, who are required to work on a holiday, shall be entitled to eight hours time off at the discretion of the department head, with due consideration of the wishes of the employee and particular regard for the interests of the City. Fire personnel working a fifty-six hour shift shall be entitled to twelve hours of holiday time for each holiday observed by the City.

SECTION 4. That paragraph (a) of Section 13.4 of the Personnel Rules be amended to read as follows:

13.4 Vacations (effective January 1, 1978)

(a) Effective January 1, 1978, vacation leave shall be accrued according to the following schedule:

(1) For employees in the classifications of Fire Fighter, Fire Engineer and Fire Lieutenant, except those employees in the said classifications working a forty hour work week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	24-HOUR SHIFTS Earned Annually	Accrual Per Month
During 1st - 5th	6	1/2
During 6th - 15th	9	3/4
During 16th - thereafter	12	1

(2) For those employees in the classification of Fire Battalion Chief, except those employees in said classification working a forty-hour week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Earned Annually
During 1st - 5th	6 shifts
During 6th - 10th	9 shifts
During 11th - 20th	12 shifts
During 21st - thereafter	15 shifts

(3) For employees working a forty-hour week in the classifications of Fire Fighter, Fire Engineer and Fire Lieutenant, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(4) For employees in the classifications of Police Officer and Detective, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(5) For all other employees, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Work Days Earned Annually	Work Hours Earned Annually
During 1st - 5th	10	80
During 6th - 10th	15	120
During 11th - 20th	20	160
21st and thereafter	25	200

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-178

A RESOLUTION APPROVING THE FINAL MAP OF THE KINGSWOOD ESTATES NO. 4 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rule Enterprises, a California corporation,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.557 acres, known as the Kingswood Estates No. 4 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 7th day of September, 1976, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Kingswood Estates No. 4 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of February, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Council-

member ~~Siefkin~~, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-179

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON BUILDING INDUSTRY ASSOCIATION OF CENTRAL CALIFORNIA REGARDING WATERLINES AND WATER HOOK-UP FEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that March 20, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** Building Industry Association of Central California regarding waterlines and water hook-up fees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** March **, 19**79**, by Councilmember** Dunlap **, who moved its adoption, which motion being duly seconded by Councilmember** Kullijian **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-180

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY RALPH MORGAN AND ASSOCIATES TO A DECISION OF THE PLANNING COMMISSION REGARDING REZONING THE NORTHEAST CORNER OF NEEDHAM AND SYCAMORE AVENUES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 10, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Ralph Morgan and Associates to a decision of the Planning Commission regarding rezoning the northeast corner of Needham and Sycamore Avenues.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-181

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 6074

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension in Block 6074

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 20, 1979, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-182

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN ALMOND STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Almond Street

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 20, 1979, at 11:00 a.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-183

A RESOLUTION ACCEPTING THE BID OF GROVER LANDSCAPING, INC. FOR SONOMA PARK LANDSCAPING AND IRRIGATION SYSTEM

WHEREAS, Resolution No. 79-84 , adopted by the Council of the City of Modesto on February 6, 1979 , approved the plans and specifications for the Sonoma Park landscaping and irrigation system

and authorized the calling for bids, and

WHEREAS, the bids received for the Sonoma Park landscaping and irrigation system

were opened at February 27, 1979, at 11:00 a.m., and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Grover Landscaping, Inc. in the amount of $56,727.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Grover Landscaping, Inc. in the amount of $56,727.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-184

A RESOLUTION ACCEPTING THE BID OF H.V. CARTER FOR TWO TRACTOR MOWERS AND FOURTEEN GANG MOWERS

WHEREAS, Resolution No. 79-96 , adopted by the Council of the City of Modesto on February 6, 1979 , approved the plans and specifications for the two tractor mowers and fourteen gang mowers

and authorized the calling for bids, and

WHEREAS, the bids received for the two tractor mowers and fourteen gang mowers

were opened at 2:15 p.m. on February 27, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of H.V. Carter in the amount of $21,259.36 for two tractor mowers, and $7,780.17 for fourteen gang mowers

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of H.V. Carter in the amount of $21,259.36 for two tractor mowers, and $7,780.17 for fourteen gang mowers

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of February ,

19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-185

A RESOLUTION WAIVING THE ONE YEAR LIMITATION ON A NEW APPLICATION BY GUARANTEE SAVINGS & LOAN ASSOCIATION FOR AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, TO RECLASSIFY CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, Section 10-2.2103 of the Modesto Municipal Code provides that no application for a zone boundary change shall be accepted by the Planning Commission for any property or area for which a previous application for a zone boundary change has been denied until one year has elapsed from the date of such denial, except that the City Council or the Planning Commission may waive the one year limitation, and

WHEREAS, an application for a zone boundary change to amend Section 22-3-9 of the Zoning Map was filed by Edward G. Wylie on August 15, 1978, to reclassify from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, property located at the southwest corner of E. Orangeburg Avenue and Oakdale Road in the City of Modesto, and

WHEREAS, at a public hearing held on November 13, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council of the City of Modesto denied the requested rezoning, and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting held on March 6, 1979, determined that it was appropriate to waive the one year limitation in order to allow Guarantee Savings and Loan Association to submit a new application to the Planning Commission for an amendment to Section 22-3-9 of the Zoning Map to allow development of a financial institution at the immediate southwest corner of Oakdale Road and E. Orangeburg Avenue on an approximately one acre portion of the property on which the application by Edward G. Wylie for six (6) separate commercial developments was previously denied,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, it hereby waives the one year limitation, allowing an application to be made by Guarantee Savings and Loan Association to the Planning Commission for rezoning for a financial institution on approximately one acre at the immediate southwest corner of Oakdale Road and E. Orangeburg Avenue,

BE IT FURTHER RESOLVED that this Council finds and determines that the waiving of the one year limitation will not adversely affect the interest of the general public.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-186

A RESOLUTION ADOPTING A SCHEDULE OF RATES AND CHARGES FOR TOWING SERVICES IN THE CITY OF MODESTO.

WHEREAS, the Council has introduced Ordinance No. 1815 -C.S. on the 6th day of March, 1979, adding Chapter 10 entitled "Towing Services" to Title III of the Modesto Municipal Code for the purpose of regulating towing services participating on a rotation list established and maintained by the Chief of Police, and

WHEREAS, said Ordinance provides that charges made by towing service operators for services rendered pursuant to the provisions of Chapter 10 of Title III of the Modesto Municipal Code, enacted by said ordinance, shall be set by the City Council by resolution after a review of the rates and charges used in comparable communities and operating data supplied by the towing service operators, and

WHEREAS, the city staff has recommended to the City Council a schedule of rates and charges for towing services based upon a review of rates and charges used in comparable communities, and

WHEREAS, the schedule recommended by the city staff is also based upon operating data supplied by the towing service operators at a meeting held on February 1, 1979, by the Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of rates and charges for towing services to be charged by all towing service operators providing services pursuant to Chapter 10 of Title III of the Modesto Municipal Code, as enacted by Ordinance No. 1815 -C.S., from the effective date of said ordinance until revised by the City Council:

RATE SCHEDULE

FOR TOWING, STORAGE AND MISCELLANEOUS

1.	Daytime Towing (8am-5pm)	$ 22.50
2.	Night (5pm-8am, including weekends and holidays)	27.50
3.	Use of "dolly" (Dolly is a multi-wheeled device used to tow a vehicle when it cannot be towed in the normal manner)	15.00
4.	Labor	7.50
5.	Crane Charges (Includes winching, recovery, etc.)	
	First thirty (30) minutes	15.00
	Each fifteen (15) minute period thereafter	5.00
6.	Storage (For a 24-hour period or less)	
	Outside storage	4.00
	Inside storage	5.00
7.	After hours release or call back (Releasing clothing, cameras, etc., to the Owner)	10.00
8.	Large vehicle (1-1/2 tons factory rate and over including motor home)	
	Daytime (8am-5pm)	36.00
	Night and Holidays	40.00
9.	Emergency Roadside Service (No preference)	
	Day	8.00
	Night	10.00
10.	Reasonable extra charges may be charged for services outside the major Modesto geographical area (The reasonableness of such extra charges shall be subject to review and approval by the Chief of Police)	

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by

Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-187

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAZEL J. CHUBBUCK FOR THE PURCHASE OF 0.023± ACRES OF RIGHT OF WAY NEEDED FOR THE ORANGEBURG - COLLIER TO COFFEE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hazel J. Chubbuck for the purchase of 0.023± acres of right of way needed for the Orangeburg - Collier to Coffee project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-188

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RANDY S. KRUM FOR THE PURCHASE OF 0.040+ ACRES OF RIGHT OF WAY NEEDED FOR THE ORANGEBURG - COLLIER TO COFFEE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Randy S. Krum for the purchase of 0.040± acres of right of way needed for the Orangeburg - Collier to Coffee project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-189

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MERLIN T. AND SHERRY K. DENLINGER FOR THE PURCHASE OF 2,250± S.F. OF RIGHT OF WAY NEEDED ON FLOYD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Merlin T. and Sherry K. Denlinger for the purchase of 2,250± s.f. of right of way needed to allow the City to complete the mandatory sidewalk program on Floyd from Vicki Drive to Coffee, south side, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Cozle
NORRINE COZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-190

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO UMTA GRANT CA-05-4102, BUS OPERATIONS REIMBURSEMENT FY 77-78

WHEREAS, on October 16, 1978, the City was awarded $123,150 as a 50% reimbursement grant from UMTA for bus operations during FY 1977-78; and

WHEREAS, review of actual bus operation expenditures reveals that another $16,515.00 is needed from UMTA as actual expenditures were $33,030 higher than anticipated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager be authorized to submit an amendment to the UMTA Grant CA-05-4102, Bus Operations Reimbursement, FY 77-78 on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-191

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MID-VALLEY ENGINEERING FOR DESIGN OF ORCHARD AREA DRAINAGE FACILITY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mid-Valley Engineering for design of Orchard area drainage facility

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-192

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND "PRINCIPAL PARTIES" AND THE PACIFIC TELEPHONE AND TELEGRAPH COMPANY INITIATING PARTICIPATION OF THE CITY IN THE UNDERGROUND SERVICE ALERT (U.S.A.) ORGANIZATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and "Principal Parties" and the Pacific Telephone and Telegraph Company initiating participation of the City in the Underground Service Alert (U.S.A.) organization

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-193

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP (RICHARD PETERSON)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(214) property located on the south side of California Avenue, west of Panama to allow one and two-story zero lot line residential project
the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-37 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for March 27, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of said Southwest Quarter of Section 31, thence North 89°55' East along the North line of said Southwest Quarter of Section 31 and the centerline of California Avenue, a distance of 552.43 feet to the POINT OF BEGINNING of this description; thence continuing North 89°55' East, along said centerline of California Avenue, a distance of 110.00 feet to the centerline of Panama Drive; thence South 0°09'05" East, along said centerline of Panama Drive, a distance of 1340.10 feet to the centerline of Houser Lane; thence South 89°46'38" West, along said centerline of Houser Lane, a distance of 316.94 feet; thence North 0°07'47" West 220.00 feet; thence South 89°46'38" West 346.00 feet; thence North 0°07'47" West, along the West line of said Northeast Quarter of the Southwest Quarter of Section 31, a distance of 961.71 feet; thence North 89°55' East 552.49 feet; thence North 0°09'05" West 160.00 feet to the point of beginning.

CONTAINING: 16.62 Acres

SCHEDULE "A"
Richard Peterson
Section 31-3-9

MODESTO CITY COUNCIL
RESOLUTION NO. 79-194

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP (DAN BODILY)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map, to prezone to P-P-D(215) property located on the south side of California Avenue to allow zero lot line residential development the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-38 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for March 27, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the said Southwest Quarter of Section 31; thence South 0°09'09" East along the west line of said Northeast Quarter of the Southwest Quarter of Section 31, a distance of 269.98 feet to the POINT OF BEGINNING of this description; thence continuing South 0°09'09" East along said West line a distance of 513.37 feet; thence South 89°55' West along the South line of Parcel B as shown on map filed for record in Book 14 of Parcel Maps at Page 64, Stanislaus County Records, a distance of 526.25 feet to the Southwest corner of said Parcel B; thence North 0°51' West along the West line of said Parcel B, and the northerly extension thereof, a distance of 783.42 feet; thence North 89°55' East along the North line of said Southwest Quarter of Section 31 and the centerline of California Avenue, a distance of 312.08 feet; thence South 0°51' East along the west line of Parcel A as shown on said Parcel Map and the northerly extension thereof, a distance of 270.00 feet, to the Southwest corner of said Parcel A; thence North 89°55' East along the south line of said Parcel A, a distance of 220.42 feet to the point of beginning.

CONTAINING: 8.17 Acres

SCHEDULE "A"
Dan Bodily
Section 31-3-9

MODESTO CITY COUNCIL
RESOLUTION NO. 79-195

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-3-9 (HASCO DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-3-9 of the Zoning Map, to rezone from R-1 to P-D(216) property located on the east side of Tully Road, north of the Hetch Hetchy right of way to allow a 30-unit multiple-family and one and two-story zero lot line single-family subdivision, the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-35 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-3-9 of the Zoning Map be set for March 27, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 19 79, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the southwest corner of the Northwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and running thence North, along the section line, 969.5 feet to the true point of beginning of the land hereby described; thence East, and parallel to the North line of said section 1902.04 feet to the west line of the lands now or formerly owned by Effie G. Rathburn; thence North 1° 45' West, along said line, 969.5 feet, more or less, to the South line of the lands now or formerly owned by Walter P. Wesson; thence West, along said South line, 1902.04 feet, more or less, to the section line, at a point thereon 700.3 feet South of the Northwest corner of the Northwest Quarter of Section 8; thence South along said line, 969.5 feet, more or less, to the true point of beginning.

EXCEPTING therefrom all that portion of said property lying South of the North line of the land heretofore conveyed to the City and County of San Francisco, by deed dated August 3, 1923, and recorded in Volume 31 of Official Records, at Page 204, Stanislaus County records.

SCHEDULE "A"
Hasco Development
Section 8-3-9

MODESTO CITY COUNCIL
RESOLUTION NO. 79-196

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classification:

CLASSIFICATION ABOLISHED

Police Services Supervisor

SECTION 2. CLASSIFICATION AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classification as shown on Exhibit "A" attached hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Arborist

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember

Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Arborist

Definition

Under direction, to assist the management of an integrated pest management and disease control program; to perform inspection of trees and research in tree insect/disease control; and to participate in the administration of related tree services activities.

Distinguishing Characteristics

An employee in this classification serves as a specialist in the area of tree insect/disease control. The position will have special emphasis on technical assignments in tree preservation and protection.

Examples of Duties

Plans, organizes and supervises the operational phase of the street and park trees integrated insect/disease control program.
Assists in identification of tree insects/diseases and selection of appropriate treatment methods.
Inspects street and park trees to determine required maintenance.
Requisitions and maintains records of materials, supplies and equipment.
Conducts and maintains current street tree inventory.
Responds frequently to "citizens" inquiries, requests, and complaints relative to street and park tree program.
Prepares written reports on investigations.

Special Requirements

Possession of a valid California Certified Pesticide Applicator's License issued by the State Department of Food and Agriculture within six months after appointment. Possession of an appropriate operator's license issued by the California Department of Motor Vehicles. Incumbents will be required to file a Statement of Economic Interests.

Employment Standards

Knowledge of:
Chemical and biological measures used in tree insect/disease control work;
Soils and fertilizers;
Dendrology and plant physiology;
Standard practices, equipment and tools used in tree maintenance work;
Safety codes applied to tree work by E.P.A. and O.H.S.A.;
Methods of biological research.

and

Ability to:
Provide technical advice and assistance on problems relating to street and park trees preservation and protection;
Plan and supervise the work of a small crew;
Maintain records and prepare reports;
Establish and maintain effective working relationships with employees, other agency personnel and the general public.

and

Education:
Equivalent to graduation from an accredited university or college with a major in arboriculture, entomology, plant pathology, horticulture or forestry. (Up to two years of the required education may be substituted with direct experience involving tree insect/disease control, tree planting and tree maintenance.)

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 197

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 79-165 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 79-165. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1978-79" attached to Resolution No. 79-165, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1978-79", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" adds the classification of Deputy City Attorney II to Range 430.0.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of March, 1979, by Councilmember Dunlap, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

(Effective 7-4-78, except as noted

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
432.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
124.5	Arborist (Add eff. 1-16-79)
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician (Add eff. 12-19-78)
122.5	Assistant Electrician
532.0	Assistant Fire Chief (Delete 11-13-78)
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
529.0	Battalion Chief (Delete 11-13-78)
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Exhib

MODESTO CITY COUNCIL
RESOLUTION NO. 79-197A

A RESOLUTION OF THE CITY OF MODESTO DECLARING CANVASS OF RETURNS AND RESULTS OF GENERAL MUNICIPAL ELECTION AND SPECIAL MUNICIPAL ELECTION HELD ON TUESDAY, MARCH 6, 1979.

WHEREAS, the Council of the City of Modesto duly called and ordered held in the City of Modesto and in the Modesto City School District of Stanislaus County and the Modesto High School District of Stanislaus County, on Tuesday, the 6th day of March, 1979, a General Municipal Election to elect a Mayor for a full term of four years; one Councilmember (Chair No. 1) for a full term of four years; one Councilmember (Chair No. 3) for a full term of four years; one Councilmember (Chair No. 6) for a full term of four years; and three members of the Board of Education of said school districts for full terms of four years each; and submitted to the qualified electors in the City of Modesto at said General Municipal Election an initiative ordinance and called and ordered held in the City of Modesto a Special Municipal Election for the purpose of submitting a low rent housing measure to the qualified electors in the City of Modesto, and

WHEREAS, said General Municipal Election and Special Municipal Election were held on Tuesday, March 6, 1979, in accordance with law and the proceedings of said Council and the votes thereat received and canvassed, including a recount of the votes cast for candidates for members of the Modesto Board of Education, and the returns thereof ascertained, determined, and declared in all respects as required by law, and

WHEREAS, the City Clerk has canvassed the returns of said elections, including recounting the votes cast for candidates for members of the Modesto Board of Education, in accordance with law and said proceedings and has certified the results of the elections to the Council by an Amended Certificate of Canvass and Statement of Votes dated March 13, 1979,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. Said canvass by the City Clerk as shown on said Amended Certificate of Canvass and Statement of Votes and the results of the elections are hereby ratified, confirmed and approved.

2. Attached, marked Exhibit "A" and, by reference, made a part hereof is a copy of said Amended Certificate of Canvass and Statement of Votes showing a complete tabulation of the following:

(a) The whole number of votes cast.
(b) The names of the persons voted for.
(c) The measures voted upon.
(d) For what office each person was voted for.
(e) The number of votes given at each precinct to each person and for and against each measure.
(f) The total number of votes given to each person and for and against each measure.

3. At said General Municipal Election the following named persons received the largest number of votes for the following offices, respectively, and were therefore duly elected to the respective offices for which they were respectively candidates, and each of said persons having received the largest number of votes cast for any person for such office is hereby delcared to be duly and regularly elected to such office respectively, and the City Clerk is hereby directed to issue a Certificate of Election to each of said persons, certifying his/her election to the office appearing after his/her name, and to administer to each of said persons the oath of office prescribed by the Constitution and laws of the State of California and the Charter of said City, to wit:

Peggy Mensinger	Mayor, for four-year term
Robert T. Elliott	Councilmember, for four-year term, Chair 1
Frank T. Muratore	Councilmember, for four-year term, Chair 3
Susan D. Siefkin	Councilmember, for four-year term, Chair 6

Steven Grenbeaux	Member, Board of Education, for four-year term
Harriette Kirschen	Member, Board of Education, for four-year term
Carol Whiteside	Member, Board of Education, for four-year term

4. At said General Municipal Election the following measure was submitted to the electors of the City and the number of votes given in the City for and against said measure were as follows:

		Total Votes For	Total Votes Against
Measure A City of Modesto Initiative Ordinance	Shall the ordinance entitled "Modesto Citizens Advisory Growth Management Act" be adopted?	9,172	8,394

More than a majority of all the votes cast at the election on Measure A were in favor of said initiative ordinance and the City Council hereby finds and determines that said initiative ordinance did carry and was approved and ratified by a majority of the qualified voters voting on said initiative ordinance.

5. At said Special Municipal Election the following measure was submitted to the electors of the City and the number of votes given in the City for and against said measure were as follows:

		Total Votes For	Total Votes Against
Measure B City of Modesto Low-Rent Housing Measure	Shall private sponsors and/or the Housing Authority of the County of Stanislaus develop, construct and acquire with financial assistance from the California Housing Finance Agency or the federal government, low rent housing in the City of Modesto of not more than 600 dwelling units for living accommodations for persons who are handicapped, blind or elderly and/or families who lack the amount of income necessary to enable them, without financial assistance, to live in decent, safe and sanitary dwellings without over crowding?	11,748	4,719

More than a majority of all the votes cast at the election on Measure B were in favor of said low-rent housing measure and the City Council hereby finds and determines that said low-rent housing measure did carry and was approved and ratified by a majority of the qualified voters voting on said low-rent housing measure.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Lang, Mensinger, Siefkin, Mayor Davies

NOES: Councilmembers: None

ABSENT: Councilmembers: Dunlap, Elliott, Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

AMENDED

CERTIFICATE OF CANVASS AND STATEMENT OF VOTE

CITY OF MODESTO GENERAL MUNICIPAL ELECTION

AND

CITY OF MODESTO SPECIAL MUNICIPAL ELECTION

HELD

MARCH 6, 1979

I, DWAYNE E. LILLY, COUNTY CLERK OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DO HEREBY CERTIFY THAT, I DID, ON MARCH 8, 1979, PUBLICLY CANVASS THE RETURNS OF THE CITY OF MODESTO GENERAL MUNICIPAL ELECTION AND THE CITY OF MODESTO SPECIAL MUNICIPAL ELECTION HELD ON MARCH 6, 1979, AND DID ON MARCH 13, 1979 PUBLICLY CONDUCT A RECOUNT OF THE VOTES CAST FOR CANDIDATES FOR THE OFFICE OF MEMBER OF THE MODESTO BOARD OF EDUCATION, AND DO HEREBY DECLARE THE RESULTS THEREOF AS SHOWN ON THE ATTACHED LISTS.

MARCH 13, 1979

DWAYNE E. LILLY, COUNTY CLERK

BY Melvin M. Mattos
MELVIN M. MATTOS
SUPERVISOR OF ELECTIONS

Exhibit "A"

SPECIAL PRECINCT NUMBER	COMPRISED OF COUNTY PRECINCTS	NUMBER OF REGISTERED VOTERS
43001	MODESTO 1, MODESTO 74	521
43002	MODESTO 2	531
43003	MODESTO 101	508
43004	MODESTO 3, MODESTO 24, MODESTO 25	486
43005	MODESTO 4, MODESTO 63	704
43006	MODESTO 5	482
43007	MODESTO 6, MODESTO 7	720
43008	MODESTO 8	581
43009	MODESTO 9, MODESTO 89, MODESTO 92	497
43010	MODESTO 10	413
43011	MODESTO 11, MODESTO 12	882
43012	MODESTO 13	582
43013	MODESTO 14, MODESTO 15	763
43014	MODESTO 19, MODESTO 88	700
43015	MODESTO 20, MODESTO 21, MODESTO 65	938
43016	MODESTO 22, MODESTO 23	671
43017	MODESTO 26	464
43018	MODESTO 27	514
43019	MODESTO 28, MODESTO 31	882
43020	MODESTO 29, MODESTO 32	838
43021	MODESTO 30, MODESTO 103	757
43022	MODESTO 54, MODESTO 82	705
43023	MODESTO 33	448
43024	MODESTO 34	520
43025	MODESTO 35, MODESTO 37	960
43026	MODESTO 36, MODESTO 83	821
43027	MODESTO 38, MODESTO 39	821
43028	MODESTO 40, MODESTO 41	878
43029	MODESTO 42, MODESTO 43	880
43030	MODESTO 48	698
43031	MODESTO 50, MODESTO 51	795
43032	MODESTO 52, MODESTO 60	949
43033	MODESTO 62	500
43034	MODESTO 81, MODESTO 107	878

SPECIAL PRECINCT NUMBER	COMPRISED OF COUNTY PRECINCTS	NUMBER OF REGISTERED VOTERS
41035	MODESTO 53, MODESTO 86 MODESTO 87, MODESTO 105	924
41036	MODESTO 75, MODESTO 99	966
48037	MODESTO 18, MODESTO 85	671
48038	MODESTO 44, MODESTO 55	952
48039	MODESTO 45	517
48040	MODESTO.46, MODESTO 57	834
48041	MODESTO 47, MODESTO 71	952
48042	MODESTO 56, MODESTO 78	692
48043	MODESTO 58, MODESTO 77	862
48044	MODESTO 59, MODESTO 70	910
48045	MODESTO 72, MODESTO 80 MODESTO 94, MODESTO 98	985
48046	MODESTO 76, MODESTO 102	708
48047	MODESTO 79, MODESTO 91, MODESTO 93	1,019
48048	MODESTO 100	562
48049	MODESTO 66, MODESTO 73	499
50050	MODESTO 49	3
47051	MODESTO 16, MODESTO 17	947
47052	MODESTO 84, MODESTO 90 MODESTO 96, MODESTO 106	424
47053	MODESTO 61	47
47054	MODESTO 64, MODESTO 67	697
47055	MODESTO 68, MODESTO 95	863
47056	MODESTO 69	409
47057	MODESTO 97, MODESTO 104	699
43058	AIRPORT 1, AIRPORT 2, AIRPORT 3	684
43059	CASWELL 5, CASWELL 6	786
43060	CASWELL 7	473
43061	CERES 11	1
43062	CLUB 3, PAGE 2	906
43063	COFFEE 1	102
43064	COFFEE 4	92
43065	COFFEE 6, EMPIRE 1	513
43066	MCHENRY 1, MCHENRY 6	794
43067	PAGE 1	439

SPECIAL PRECINCT NUMBER	COMPRISED OF COUNTY PRECINCTS	NUMBER OF REGISTERED VOTERS
43068	Paradise 3, Paradise 4, Paradise 5	651
43069	Paradise 6, Paradise 7	782
43070	Paradise 8, Paradise 9	641
43071	Paradise 10, Paradise 12	433
45072	Salida 1, Salida 2	930
46073	Paradise 1	282
47074	Coffee 10, McHenry 3, Prescott 1, Prescott 3	948
42075	Hart-Ranson 1, Hart-Ranson 2	923
41076	Empire 2, Empire 3, Empire 6, McHenry 5	690
41077	Empire 4	511
41078	Empire 5	636
44079	Paradise 2, Paradise 11	379
48080	Coffee 2, McHenry 4, Riverbank 4, Riverbank 5	580
48081	Coffee 5, Coffee 8	628
48082	Coffee 7, McHenry 2	672
48083	Coffee 9, Coffee 11	629

Total Within City of Modesto	39,369
Total Within Modesto High School District	54,374

STANISLAUS COUNTY

CARD 1

March 6, 1979

ELECTION PRECINCTS

	TOTAL VOTES CAST	MEASURE A: CITY OF MODESTO INITIATIVE ORDINANCE		MEASURE B: MODESTO CITIZENS ADVISORY GROWTH MANAGEMENT ACT		CITY OF MODESTO LOW-RENT HOUSING MEASURE		MAYOR: Clyde H. DUNLAP	Robert RIFE	Harry T. KULLIJIAN	Peggy MENSINGER
		YES	NO	YES	NO	YES	NO				
41035	363	176	161	229	95	50	4	141	166		
41036	354	164	166	211	94	50	2	140	158		
41076	103										
41077	73										
41078	104										
42075	220										
43001	216	75	122	131	47	29	2	102	80		
43002	223	92	119	122	81	36	1	102	84		
43003	204	81	109	111	70	30		94	79		
43004	222	94	86	120	39	61	2	75	83		
43005	195	85	90	114	44	41	6	56	92		
43006	189	66	95	117	31	37	2	65	85		
43007	251	107	103	154	41	54	2	70	122		
43008	217	28	98	112	69	35	2	70	107		
43009	253	123	109	142	72	36	1	103	110		
43010	242	129	94	162	45	40		70	131		
43011	320	155	143	209	71	47	4	121	145		
43012	324	169	133	187	96	38	1	131	152		
43013	319	156	139	185	99	50	1	124	140		
43014	345	117	199	205	79	68	4	153	119		
43015	497	275	170	285	114	89	6	176	224		
43016	406	216	148	215	112	93		133	178		
43017	234	106	86	141	39	29	3	99	106		
43018	312	185	94	181	72	30	1	90	191		
43019	470	263	166	279	111	73	4	158	234		
43020	450	252	149	268	95	61	5	140	243		
43021	380	172	173	235	93	72	2	140	164		
43022	331	175	135	218	76	50	6	132	141		
43023	285	160	108	189	55	52	2	86	144		
43024	339	208	102	217	74	34	2	88	213		
43025	626	342	278	419	145	126		197	337		
43026	525	305	184	329	124	60	6	153	304		
43027	434	209	169	261	93	64	4	165	198		
43028	494	266	189	312	115	72	3	184	232		
43029	552	296	223	348	135	101	4	181	263		
43030	345	100	76	216	94	45		108	163		

FORM 142-B

STANISLAUS COUNTY

CARD 1

March 6, 1979

ELECTION PRECINCTS

| | TOTAL VOTES CAST | CITY OF MODESTO INITIATIVE ORDINANCE | | MODESTO CITIZENS ADVISORY GROWTH MANAGEMENT ACT | | CITY OF MODESTO LOW-RENT HOUSING MEASURE | | MAYOR | | |

STANISLAUS COUNTY

CARD 1

March 6, 1979

ELECTION PRECINCTS

	TOTAL VOTES CAST	CITY OF MODESTO INITIATIVE ORDINANCE		MODESTO CITIZENS ADVISORY GROWTH MANAGEMENT ACT		CITY OF MODESTO LOW-RENT HOUSING MEASURE		MAYOR Clyde H. DUNLAP	Robert RIFE	Harry T. KULLJIAN	Peggy MENSINGER
		YES		NO		YES	NO				
48047	471	178		262		271	139	57	4	225	184
48048	216	91		107		139	41	31		85	58
48049	215	105		89		143	38	43		70	96
48080	104										
48081	202										
48082	141										
48083	78										
	21743	8927		8216		11460	4613	2948	148	7150	8526
ABSENTEE	~~497~~	245		178		288	106	65	9	154	223
TOTAL	~~22237~~	9172		8394		11748	4719	3013	157	7304	8749

RESULTS OF RECOUNT HELD MARCH 13, 1979

Absentee 501

Total 22241

(Also see Modesto Board of Education)

FORM 142-S

STANISLAUS COUNTY

CARD 2

March 6, 1979

ELECTION PRECINCTS

| | Chair 1 | | Chair 3 | | | | Chair 6 | | | |

STANISLAUS COUNTY

CARD 2

March 6, 1979

ELECTION PRECINCTS	Chair 1 Terry "Mike" HICKS	Chair 1 Robert T. ELLIOTT	Chair 1 Frank T. MURATORE	Chair 2 Judith HENDRIX	Chair 2 Phil ENOS	Chair 6 George BAIREY	Chair 6 Sue SIEFKIN	Chair 6 Elmo WILSON, JR.
43035	101	203	126	25	75	92	235	95
43036	90	219	121	37	76	77	177	122
43001	57	130	88	21	63	27	116	81
43002	54	139	90	13	46	48	130	74
43003	60	124	83	24	37	40	114	76
43004	55	114	69	24	46	46	122	58
43005	57	99	47	46	38	35	112	56
43006	43	111	52	21	55	33	94	68
43007	65	148	66	39	60	46	133	79
43008	64	106	44	31	51	51	114	65
43009	56	174	90	20	69	65	150	86
43010	60	157	72	25	55	67	165	71
43011	96	171	103	34	36	57	181	101
43012	72	213	108	19	71	104	204	94
43013	112	166	78	42	99	83	199	104
43014	84	217	125	44	90	53	172	143
43015	141	280	154	55	141	95	277	166
43016	85	260	136	37	78	112	256	127
43017	62	134	68	16	64	52	144	61
43018	86	180	76	26	69	113	203	86
43019	125	237	161	34	89	144	209	133
43020	124	263	112	39	112	135	289	112
43021	97	236	147	30	65	109	225	129
43022	90	196	106	32	83	79	198	94
43023	63	171	86	15	63	89	192	63
43024	70	217	115	22	57	119	234	86
43025	110	469	246	30	137	209	454	158
43026	100	349	160	46	77	195	370	119
43027	112	251	130	32	102	140	243	146
43028	115	317	154	28	130	142	309	145
43029	98	401	223	18	90	186	361	154
43030	72	230	133	20	75	86	197	123
43031	87	254	134	27	73	129	243	115
43032	92	331	191	29	103	107	319	123
43033	68	118	63	22	77	31	123	77
43034	121	277	167	37	106	100	270	151

FORM 143-B

STANISLAUS COUNTY

CARD 3

March 6, 1979

TRUSTEES, MODESTO BOARD OF EDUCATION (Three to be elected)

ELECTION PRECINCTS	Norman VAN WALTEROP	Ken RUSSELL	David I. RAMCZYK	Harriette KIRSCHEN	Phillip A. STEINHART	Francisca Pat FLORES	Steven GRENBEAUX	Timothy M. MEDEIROS	Carol WHITESIDE	John L. HERTLE	Richard PATTERSON
41335	63	61	39	112	100	37	133	27	164	79	68
41336	64	72	66	82	104	38	135	23	196	72	52
41376	13	17	5	39	16	10	46	6	42	50	33
41377	14	12	11	28	7	11	38	4	27	24	24
41378	12	9	13	31	22	10	45	5	52	61	23
43335	23	32	18	88	37	10	54	9	96	139	53
43301	36	46	33	83	52	29	73	14	93	54	44
43302	34	43	27	93	75	15	94	8	125	37	50
43303	47	45	23	54	46	21	69	13	31	42	46
43304	32	35	22	85	39	25	59	10	86	56	65
43305	27	31	32	65	32	38	57	8	86	46	55
43306	26	44	28	66	31	20	56	9	51	55	55
43307	29	60	27	86	33	61	63	16	87	49	91
43308	21	51	33	67	38	32	73	13	84	63	73
43309	30	39	28	75	79	22	107	14	126	81	58
43310	37	52	22	112	56	16	83	10	123	71	55
43311	52	81	33	102	77	33	99	25	139	82	62
43312	52	50	37	126	94	19	104	15	165	109	94
43313	64	93	49	85	67	41	119	13	143	96	84
43314	61	77	38	116	86	15	120	23	161	100	89
43315	69	101	52	175	124	45	142	33	250	119	116
43316	63	44	32	169	91	25	97	20	234	149	87
43317	23	43	34	109	37	32	51	5	95	53	53
43318	52	45	35	115	75	31	107	6	166	79	85
43319	90	37	49	179	118	25	161	37	225	137	126
43320	67	76	57	188	92	53	123	25	183	130	115
43321	70	71	42	116	111	27	135	24	219	112	96
43322	51	77	37	137	58	21	99	27	137	108	103
43323	44	43	18	111	73	22	88	16	123	90	88
43324	48	43	32	137	83	22	109	9	193	110	73
43325	106	112	42	282	169	31	217	16	344	257	192
43326	88	48	47	220	122	36	150	22	292	189	145
43327	86	77	57	157	104	39	133	21	192	151	115
43328	67	99	63	200	108	33	166	17	270	146	135
43329	102	57	57	256	148	24	159	18	250	244	165
43330	60	52	41	102	113	18	104	24	215	100	78

FORM 142-B

STANISLAUS COUNTY

CARD 3

March 6, 1979

ELECTION PRECINCTS

MODESTO BOARD OF EDUCATION (Three to be elected)

ELECTION PRECINCTS	Norman VAN WALTEROP	Ken RUSSELL	David I. RANCZYK	Harriette KIRSCHEN	Phillip A. STEINHART	Francisca Pat FLORES	Steven GRENBEAUX	Timothy M. MEDEIROS	Carol WHITESIDE	John L. HENTLE	Richard PATTERSON
43031	64	73	41	168	86	30	107	14	193	98	127
43032	69	54	49	211	147	34	126	33	211	122	181
43033	35	67	30	58	43	23	67	7	89	55	52
43034	67	97	57	141	143	35	153	34	243	111	125
43051	22	23	21	38	19	22	29	9	44	30	30
43060	10	24	10	23	21	25	32	7	45	24	18
43061	9	20	4	14	8	9	18	4	32	19	27
43062	18	37	25	40	30	51	32	13	54	27	50
43063		3		7	3	1	9	1	10	10	2
43064	4	6	4	5	5	3	4	5	13	2	4
43065	15	28	11	35	19	11	29	4	34	31	19
43066	31	22	14	93	81	6	83	13	179	87	58
43067	8	12	8	14	11	11	9	5	18	9	19
43068	9	18	12	33	21	3	24	3	38	22	23
43069	10	20	16	64	19	6	48	6	66	57	44
43071	19	17	19	30	20	15	37	9	44	25	38
44070	11	9	9	26	17	10	32	3	36	32	35
45072	19	10	7	32	9	7	34	4	32	59	25
46073	20	19	9	58	30	8	52	8	59	171	43
47051	11	11	2	25	8	3	22	4	33	60	27
47052	66	87	59	123	59	41	99	19	144	89	93
47054	30	34	29	48	36	17	51	6	71	36	44
47055	40	63	34	68	52	29	69	18	110	50	51
47056	78	105	53	97	108	33	148	24	218	107	59
47057	40	45	33	44	39	10	48	12	55	39	40
47074	52	68	42	94	61	39	76	10	104	80	93
49037	34	28	27	81	47	11	54	4	100	93	69
49038	60	45	33	93	109	18	117	15	172	90	73
49039	118	90	59	206	135	31	134	24	222	178	138
49040	67	42	27	93	51	25	61	18	106	72	62
49041	66	69	46	109	90	24	125	23	173	91	94
49042	104	78	66	206	169	29	155	24	303	173	159
49043	49	45	36	153	105	23	139	15	213	96	119
49044	47	59	53	93	84	29	83	16	139	72	74
49045	108	100	74	178	140	43	153	25	242	155	145
49046	89	78	65	158	98	45	155	26	244	157	113
	32	69	30	79	59	35	60	9	133	55	64

FORM 148-S

STANISLAUS COUNTY

CARD 3

March 6, 1979

MEMBER, MODESTO BOARD OF EDUCATION
(Three to be elected)

ELECTION PRECINCTS	Norman VAN WALTERROP	Ken RUSSELL	David I. RAMCZYK	Harriette KIRSCHEN	Phillip A. STEINHART	Francisca Pat FLORES	Steven GRENBAUX	Timothy M. MEDEIROS	Carol WHITESIDE	John L. HERTLE	Richard PATTERSON
48047	91	95	65	148	139	38	149	26	229	118	111
48049	33	12	29	54	49	29	77	13	69	24	52
48150	38	31	27	70	57	25	58	14	97	62	58
48330	22	15	8	33	28	7	30	6	54	59	30
48331	29	21	5	97	57	6	65	4	128	81	67
48332	22	32	17	55	25	10	46	12	64	59	38
48383	25	18	11	25	13	11	19	4	30	41	21
	3620	3983	2556	7758	5261	1909	~~6795~~	1143	10396	~~6699~~	5908
ABSENTEE	93	86	55	236	72	42	~~107~~	37	193	~~214~~	196
TOTAL	3713	4069	2611	7994	5333	1951	~~6902~~	1180	10589	~~6913~~	6004

RESULTS OF RECOUNT
HELD MARCH 13, 1979

Absentee							102			183	
Total							6903			6902	

FORM 142-B

MODESTO CITY COUNCIL
RESOLUTION NO. 79-198

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM BY GREAT AMERICAN INSURANCE COMPANY ON BEHALF OF DR. RICHARD HOWARD, DR. RODNEY CORNELSEN, AND DR. S. RUSH BAILEY, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim by Great American Insurance Company on behalf of Dr. Richard Howard, Dr. Rodney Cornelsen, and Dr. S. Rush Bailey for water damage to Doctor's Medical Building at 1400 Florida Avenue, against the City of Modesto was received on March 2, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim by Great American Insurance Company on behalf of Dr. Richard Howard, Dr. Rodney Cornelsen, and Dr. S. Rush Bailey, against the City of Modesto, received on March 2, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-199

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PROJECT NO. 9 - REPLACEMENT OF CURBS AND DRIVE APPROACHES AT VARIOUS LOCATIONS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Project No. 9 - replacement of curbs and drive approaches at various locations **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on March 27, 1979, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** March, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-200

A RESOLUTION ACCEPTING THE BID OF DENAIR MANUFACTURING FOR FURNISHING SEVEN TRUCK LIFTGATES

WHEREAS, Resolution No. 79-92 , adopted by the Council of the City of Modesto on February 6, 1979 , approved the plans and specifications for the purchase of seven truck liftgates

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of seven truck liftgates

were opened at 2:00 p.m. on February 27, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Denair Manufacturing in the amount of $4,521.15

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Denair Manufacturing in the amount of $4,521.15

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March ,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-201

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE ONE REMAINING PARCEL OF LAND FROM MARION T. MERRELL, ET UX, FOR THE DEL WEBB PARK EXPANSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 10, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of a hearing of necessity to acquire one remaining parcel of land from Marion T. Merrell, et ux, for the Del Webb Park expansion.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March 13, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-202

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SHEILA H. DUCKWORTH FOR THE PURCHASE OF 1,130± S.F. OF RIGHT OF WAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sheila H. Duckworth for the purchase of 1,130± s.f. of right of way for the City's mandatory sidewalk program on Floyd Avenue from Vicki Drive to Coffee, south side, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-203

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND C.L.S. INVESTMENTS FOR THE PURCHASE OF 0.06± ACRES OF RIGHT OF WAY NEEDED FOR STANDIFORD - TULLY TO MCHENRY PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and C.L.S. Investments for the purchase of 0.06± acres of right of way needed for Standiford - Tully to McHenry project, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-204

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NANCY E. MORGAN FOR THE PURCHASE OF 0.046 ACRES OF RIGHT OF WAY NEEDED FOR THE ORANGEBURG - COLLIER TO COFFEE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Nancy E. Morgan for the purchase of 0.046 acres of right of way needed for the Orangeburg - Collier to Coffee project, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-205

A RESOLUTION APPROVING LEASE/AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES M. DELAIRE, SR. FOR OLD CORPORATION YARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Grissom Pontiac, Inc. for lease of the Old Corporation Yard, will expire September 22, 1979, and the agreement with the new lessee, Charles M. Delaire, Sr.

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-206

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR RENO AVENUE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Reno Avenue Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City City of Modesto

2. Name of Proposed Annexation Reno Avenue Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

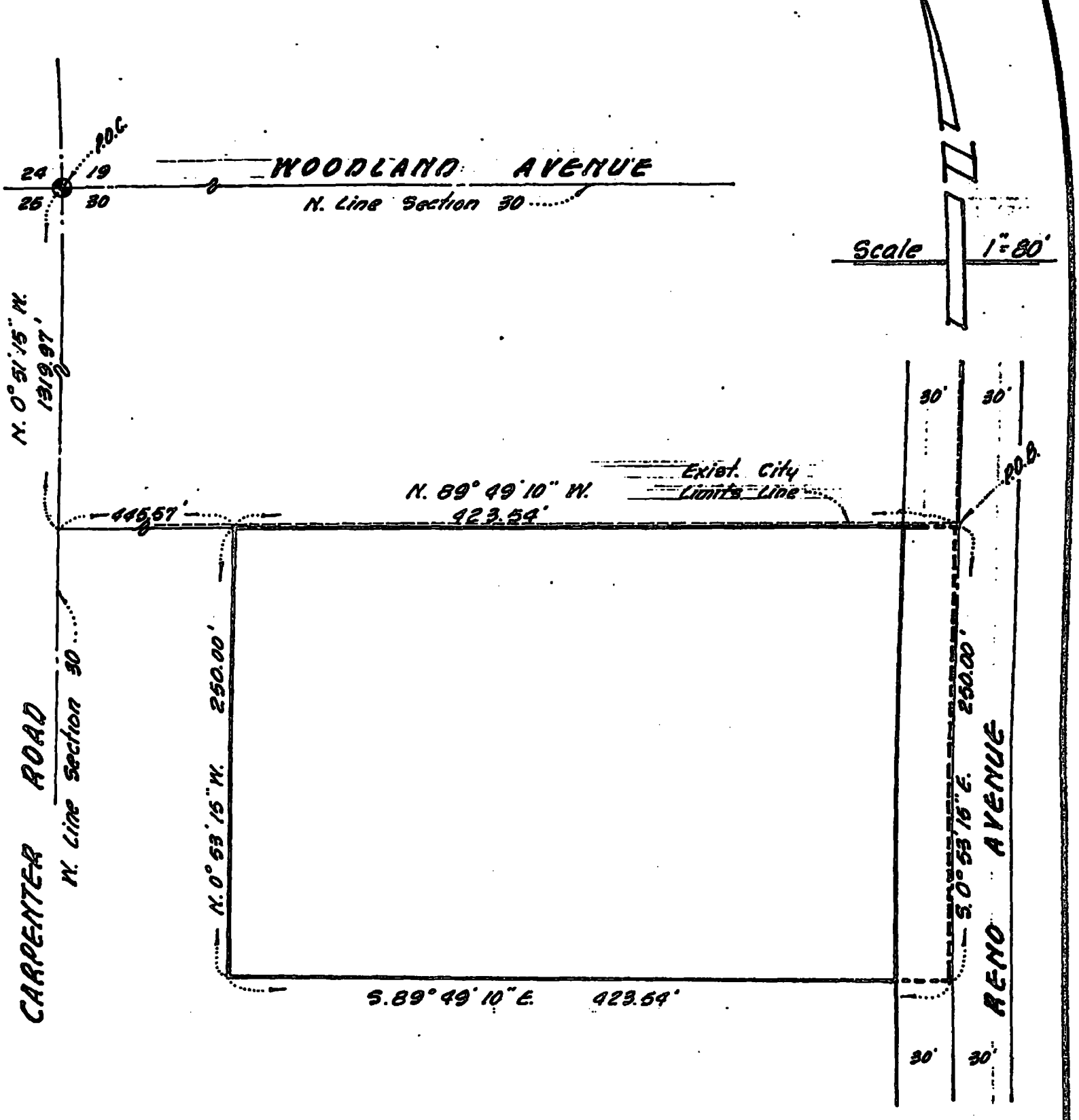
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

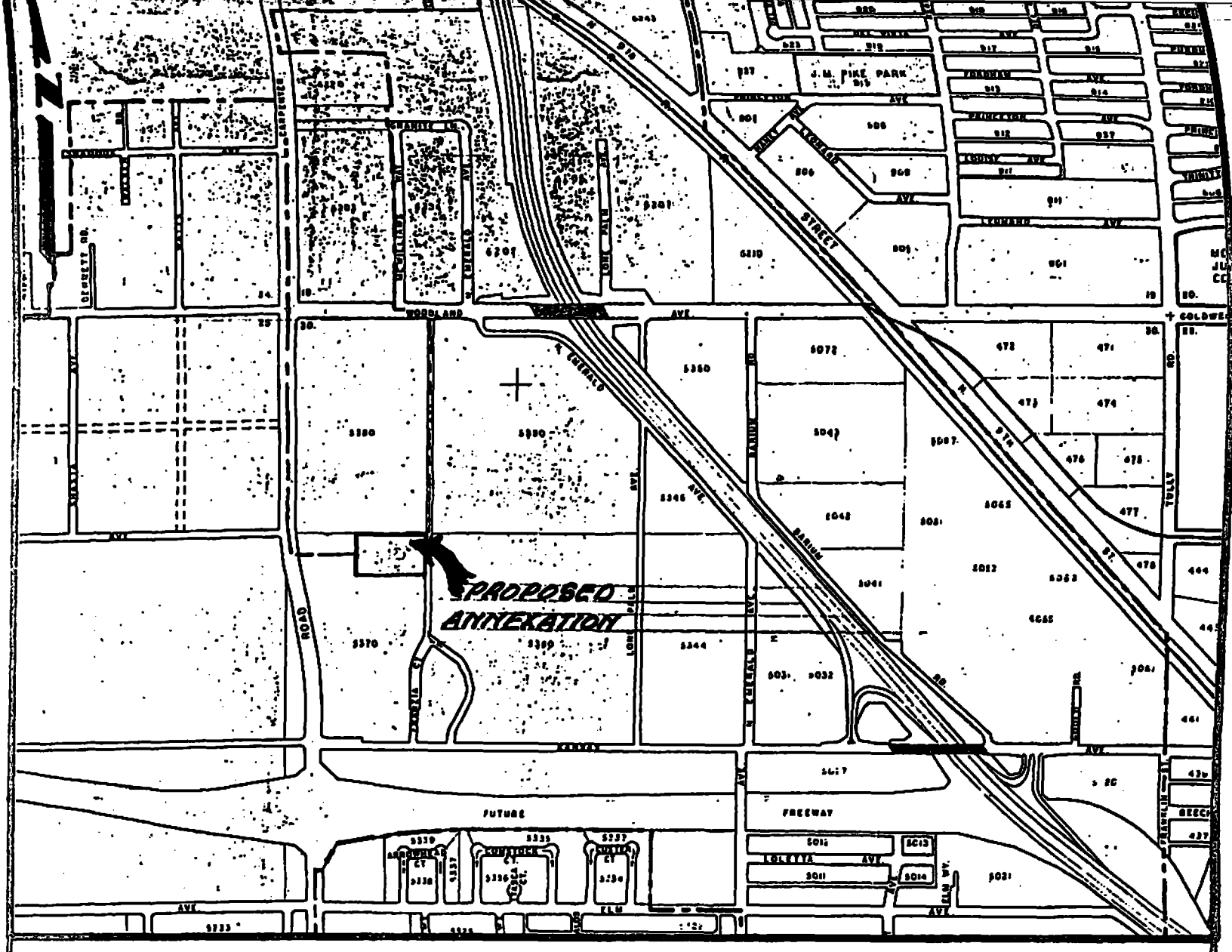
No

5. Other comments the city would like to make.

None



VALLEY ENGINEERING P. O. BOX 816 MODESTO, CALIFORNIA 95353 Department of Public Works City of Modesto, California Approved: _____	PLAT TO ACCOMPANY DESCRIPTION OF RENO AVENUE ANNEXATION	Scale: 1"=80'	Sheet 1 of 2
		Date: FEB. '79	
		Revised:	
			FILE NUMBER
	Drawn: RUSSELL / Checked: S.D.I. / W.O. No.:		



VICINITY MAP

No Scale

MID VALLEY ENGINEERING
P. O. BOX 816 MODESTO, CALIFORNIA 95353

Department of Public Works
City of Modesto, California

Approved: _____

VICINITY MAP OF RENO AVENUE ANNEXATION

Drawn:	Checked:	W.O. No.:	
R.C.			

Scale: NONE	Sheet 2
Date: FEB 79	of
Revised:	2
FILE NUMBER	

MODESTO CITY COUNCIL
RESOLUTION NO. 79-207
LEASE-PURCHASE
A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND BANK OF AMERICA FOR AN A.B. DICK 1600 PRINTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease-purchase/agreement between the City of Modesto and the Bank of America for an A.B. Dick 1600 Printer in the amount of $28,334.43 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-208

LEASE-PURCHASE

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND BANK OF AMERICA FOR A BURROUGHS 1855 COMPUTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto lease-purchase **that the/agreement between the City of Modesto and** the Bank of America **for** a Burroughs 1855 Computer in the amount of $145,325.40 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** March, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-209

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A LEASE-PURCHASE AGREEMENT WITH BANK OF AMERICA FOR A XEROX 4500 COPIER IN THE AMOUNT OF $12,084.00

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one Xerox 4500 Copier is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a lease-purchase agreement with Bank of America for the purchase of one xerox 4500 copier for the total price of $12,084.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-210

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH C & C TRAILER AND BODY COMPANY FOR THE PURCHASE OF TWO PACKER TRUCKS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two packer trucks is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with C & C Trailer and Body Company for the purchase of two packer trucks for the total price of $125,928.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-211

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH EDWARD R. BACON FOR THE PURCHASE OF TWO CLAW LOADERS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of two claw loaders is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Edward R. Bacon for the purchase of two claw loaders for the total price of $64,415.60.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-212

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM MANAGEMENT SERVICES-FINANCE TO MANAGEMENT SERVICES-P.W. ENGINEERING

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM: Management Services (Finance) $191,290
Accounts 6252-090-321
6910-150-321
60-800-321

TO: Management Services - P/W Eng. $191,290
Accounts 6253-090-321
6438-410-321

To implement the special capital equipment financing arrangement for Copy Printer, Computer Upgrade, Xerox Copier, Packers and Claw Loaders.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-213

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20-3-9 OF THE ZONING MAP (NATIONAL MEDICAL DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 26, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 20-3-9 of the Zoning Map, to rezone from R-2 and P-O to Planned Development Zone P-D(217) property located on the southeast corner of W. Granger and Florida Avenues the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-47 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 20-3-9 of the Zoning Map be set for April 10, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-2 to P-D

All that portion of Lot 1 and 4 of the Mensinger Colony situated in Section 20, Township 3 South, Range 9 East, of the Mount Diablo Base and Meridian, according to the map of Mensinger Colony filed in Volume 4 of Maps, at Page 25 in the Stanislaus County Records described as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue and the true point of beginning; thence southerly along the West line of said Lot 1 also being the centerline of Florida Avenue 275.7 feet to a point; thence Easterly along a line that is parallel with the centerline of Granger Avenue 233.9 feet to a point; thence northerly along a line that is parallel with said centerline of Florida Avenue 275.7 feet to the point of intersection with the centerline of Granger Avenue; thence Westerly 233.9 feet along the centerline of said Granger Avenue to the point of beginning.

P-O to P-D

All that portion of said Lots 1 and 4 of Mensinger Colony described as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue; thence Southerly along the west of said lot 1 being the centerline of Florida Avenue 275.7 feet to the true point of beginning; thence continuing Southerly along the West line of said Lot 1 and Lot 4 being the centerline of Florida Avenue 63.88 feet to a point: thence Easterly along a line parallel with the centerline of Granger Avenue 200.00 feet to a point; thence Northerly along a line parallel with the centerline of Florida Avenue 63.88 feet to a point; thence along a line that is parallel with the centerline of said Granger Avenue 200.00 feet to the point of beginning.

SCHEDULE "A" -
National Medical
Development
Agenda 3/13/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-214

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 (JOHN CEARLEY)

WHEREAS, the Modesto City Planning Commission held a public hearing on February 26, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map, to rezone from R-1 to R-2 property located at the southwest corner of East Orangeburg and Ford Avenues the following described property:

> Lots 1, 2, and 3 in Block 1140 of Sunrise Homes, according to the official map thereof filed in the office of the County Recorder of Stanislaus County, California, on June 25, 1945, in Volume 14 of Maps, Page 36. Including the westerly 25 feet of Ford Avenue immediately adjacent to said Lots 1, 2, and 3. Also including all that portion of street right-of-way situated between the North line of the above described property and the centerline of East Orangeburg Avenue.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-49 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for April 3, 1979, at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-215

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland Fire Protection District in Stanislaus County was annexed to the City of Modesto as Woodland-Barium Annexation by Resolution No. 79-138 adopted on February 13, 19 79, and said annexation officially became a part of the City of Modesto on February 28, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

11-17-78
Corrected 2-12-79

WOODLAND-BARIUM ANNEXATION

All that real property in the State of California, being a portion of the Northeast quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Western line of the NORTHWEST ADDITION (44), as per description filed December 10, 1951, as Instrument 28460, Stanislaus County Records, said point being on the North line of Section 30, and the center line of Woodland Avenue,

1. thence along the existing City Limits and a Western line of said ADDITION (44), South 43° 29' 30" East, 315.10 feet;

2. thence leaving the existing City Limits, along a line at right angles to the Southern Pacific Railroad Right-of-Way, South 46° 30' 30" West, 120.00 feet, to the center line of abandoned 40.00 foot Michigan Avenue;

3. thence along the center line of said road, South 00° 42' 30" East, 62.47 feet;

4. thence along the North line of the GRANGE TRACT, as per map filed in Volume 14 of Maps, Page 5, Stanislaus County Records, North 89° 57' 30" West, 939.83 feet, to the center line of 60.00 foot Barium Road;

5. thence continuing along the center line of said road, North 00° 33' 30" West, 375.54 feet, to the center line of Woodland Avenue, said point being on the North line of Section 30;

6. thence along the center line of said road, South 89° 49' 30" East, 812.91 feet, to the point of beginning containing 8.059 Acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-216

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland Fire Protection District in Stanislaus County was annexed to the City of Modesto as Kansas Avenue No. 3 by Resolution No. 79-139 adopted on February 13, 1979, and said annexation officially became a part of the City of Modesto on March 5, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

KANSAS AVENUE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the WOODLAND-MERCY ADDITION (388), as per description filed November 29, 1978, as Instrument 34754, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said ADDITION (388), South 62° 02' 00" East, 480.36 feet;

2. thence continuing along the existing City Limits and the Southern line of said ADDITION (388), South 87° 27' 00" East, 212.52 feet;

3. thence leaving the existing City Limits, South 01° 00' 00" East, 1234.93 feet, to the center line of 40.00 foot Kansas Avenue;

4. thence along the center line of Kansas Avenue, South 89° 18' 00" West, 1167.21 feet;

5. thence North 01° 00' 00" West, 1771.41 feet;

6. thence South 62° 02' 00" East, 611.28 feet, to the point of beginning, containing 39.125 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-217

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (WOODLAND-BARIUM)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-138 on February 13, 19 79, certain territory known as Woodland-Barium Annexation, and

WHEREAS, the inclusion of the area contained in Woodland-Barium Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Woodland-Barium Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 199.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, May 1, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The Southwest corner of the Annexation at the East line of Barium Road.

(2) The Northwest corner of the Annexation at the Southeast corner of the intersection of Woodland Avenue and Barium Road.

(3) The Northeast corner of the Annexation at the South line of Woodland Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 199, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Bob Campbell
Public Works Department

11-17-78
Corrected 2-12-79

WOODLAND-BARIUM ANNEXATION

All that real property in the State of California, being a portion of the Northeast quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Western line of the NORTHWEST ADDITION (44), as per description filed December 10, 1951, as Instrument 28460, Stanislaus County Records, said point being on the North line of Section 30, and the center line of Woodland Avenue,

1. thence along the existing City Limits and a Western line of said ADDITION (44), South 43° 29' 30" East, 315.10 feet;

2. thence leaving the existing City Limits, along a line at right angles to the Southern Pacific Railroad Right-of-Way, South 46° 30' 30" West, 120.00 feet, to the center line of abandoned 40.00 foot Michigan Avenue;

3. thence along the center line of said road, South 00° 42' 30" East, 62.47 feet;

4. thence along the North line of the GRANGE TRACT, as per map filed in Volume 14 of Maps, Page 5, Stanislaus County Records, North 89° 57' 30" West, 939.83 feet, to the center line of 60.00 foot Barium Road;

5. thence continuing along the center line of said road, North 00° 33' 30" West, 375.54 feet, to the center line of Woodland Avenue, said point being on the North line of Section 30;

6. thence along the center line of said road, South 89° 49' 30" East, 812.91 feet, to the point of beginning containing 8.059 Acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 13, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 14, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-218

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (KANSAS AVENUE NO. 3)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-139 on February 13, 19 79, certain territory known as Kansas Avenue No. 3 Annexation, and

WHEREAS, the inclusion of the area contained in Kansas Avenue No. 3 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Kansas Avenue No. 3 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 200.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, May 1, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The West quarter corner of Section 25, T. 3 S., R. 8 E., M. D. B. M., and the Southwest corner of the Annexation and the North line of Kansas Avenue.

(2) 580 feet East of the West quarter corner of Section 25, T. 3 S., R. 8 E., M. D. B. M., along the Southern line of the Annexation and the North line of Kansas Avenue.

(3) 1167 feet East of the West quarter corner of Section 25, T. E S., R. 8 E., M. D. B. M., along the Southern line of the Annexation and the North line of Kansas Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 200, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 19 679, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

November 6, 1978

KANSAS AVENUE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the WOODLAND-MERCY ADDITION (388), as per description filed November 29, 1978, as Instrument 34754, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said ADDITION (388), South 62° 02' 00" East, 480.36 feet;

2. thence continuing along the existing City Limits and the Southern line of said ADDITION (388), South 87° 27' 00" East, 212.52 feet;

3. thence leaving the existing City Limits, South 01° 00' 00" East, 1234.93 feet, to the center line of 40.00 foot Kansas Avenue;

4. thence along the center line of Kansas Avenue, South 89° 18' 00" West, 1167.21 feet;

5. thence North 01° 00' 00" West, 1771.41 feet;

6. thence South 62° 02' 00" East, 611.28 feet, to the point of beginning, containing 39.125 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 13, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-219

A RESOLUTION AUTHORIZING CERTAIN NAMED OFFICERS AND EMPLOYEES OF THE CITY OF MODESTO TO BRING CLAIMS ON BEHALF OF THE CITY, AND TO DEFEND AGAINST CLAIMS BROUGHT AGAINST THE CITY, IN THE STANISLAUS COUNTY MUNICIPAL COURT, SMALL CLAIMS DIVISION AND SUPERCEDING RESOLUTION NO. 78-168.

WHEREAS, many of the claims brought on behalf of the City of Modesto are most effectively prosecuted through the Stanislaus County Municipal Court, Small Claims Division, and

WHEREAS, many of the claims brought against the City of Modesto are brought through the said Small Claim Court, and

WHEREAS, it appears to the Council of the City of Modesto that it is desirable and necessary to authorize officers and employees of the City to act for and in its behalf in the Stanislaus County Municipal Court, Small Claims Division, and

WHEREAS, it further appears that Norrine Coyle, Judy Hall, Charles Bird, Pete Brock, John Schirra, Vi DiFrancia, Al Houck, and Marlene Jackson are suitable individuals for such authorization,

NOW, THEREFORE, BE IT RESOLVED that Norrine Coyle, Judy Hall, Charles Bird, Pete Brock, John Schirra, Vi DiFrancia, Al Houck, and Marlene Jackson be and are hereby appointed and authorized to appear for and on behalf of the City of Modesto to prosecute and defend all claims on behalf of or against the City which are filed in the Stanislaus County Municipal Court.

BE IT FURTHER RESOLVED that those above named officers and employees employed in the office of the City Clerk, to wit: Norrine Coyle and Judy Hall, are further authorized and empowered to accept service of process issued by said Court on behalf of the City of Modesto.

BE IT FURTHER RESOLVED that this resolution supersedes Resolution No. 78-168.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-220

A RESOLUTION APPROVING APPROPRIATION TRANSFERS - REDISTRIBUTION OF EQUIPMENT RENTAL CHARGES PER MID-YEAR BUDGET REPORT DATED MARCH 1, 1979 (GENERAL FUND)

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SEE ATTACHED SCHEDULE "A"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	✓
Finance Dept.	

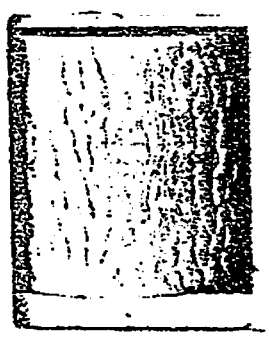
Originating Dept.

Finance

101
Fund

(This form for transferring appropriations within a fund.) 1 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
152		100		Personnel	
47		130		City Attorney	
40		140		Clerk Auditor	
254	218.00	150	101	Finance	Equipment Rental Charges
1050		320		Recreation	
3735		350		Parks	
5640		360		Street Trees	
4215		370		9 Hole Golf Course	
				TRANSFER TO:	
39		80		City Manager	
469		90		Management Services	
3980		120		Office Services	
634	218.00	180	101	Planning	Equipment Rental Charges
9033		210		Fire	
44659		220		Police	
864		223		Animal Control	
39		270		P & R - Administration	



SEE REVERSE.....

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	
Finance Dept.	

Originating Dept.

Finance

101
Fund

(This form for transferring appropriations within a fund.) 2 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
1405		380		Dryden Golf Course	
3162		500		PW - Water	
2666		530		PW - Water Quality Cont.	
560	218.00	540	101	PW - Garden Refuse	Equipment Rental Charges
368		550		PW - City Hall	
59326	940.00	900	101	Interfund Transfer	Interfund Transfer Out
				TRANSFER TO:	
2974		410		PW - Engineering	
1638		420		PW - Inspection	
667		430		PW - Electric	
4070	218.00	510	101	PW - Streets	Equipment Rental Charges
12943		520		PW - Sewers	
611		560		Parking & Traffic	

JUSTIFICATION: (Use reverse side if more space is needed.)

Redistribution of Equipment Rental charges per attached Mid-year Budget Report dated 3/1/79. (General Fund)

	Signature	Date
Transfer Requested by DEPARTMENT HEAD OR AUTHORIZED ASSISTANT	Pete Brock	3/7/79
Approved as to funds and accounts by DIRECTOR OF FINANCE	Harold V. Bird	3-7-79
Approved by CITY MANAGER		

COUNCIL ACTION:

The above requested appropriation transfer was approved _____ disapproved _____ by Resolution Number _____ at the Council Meeting _____

_____
Signature of City Clerk

Transfer No. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 79-221

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO REDISTRIBUTE APPROPRIATIONS BETWEEN 8 UTILITY ACCOUNTS AND IMPLEMENT OTHER MID-YEAR GENERAL FUND ADJUSTMENTS PER MID-YEAR BUDGET REPORT DATED MARCH 1, 1979

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SEE SCHEDULE "A"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	✓
Finance Dept.	

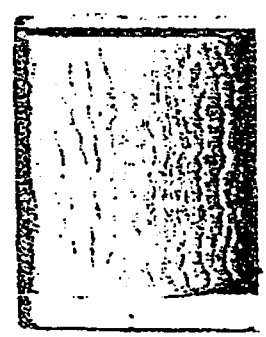
Originating Dept.

Finance

101
Fund

(This form for transferring appropriations within a fund.) 1 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
4,165	110.00	150		Finance	Salaries & Wages, Reg.
5,000	110.00	210		Fire	Salaries & Wages, Reg.
62,000	110.00	220		Police	Salaries & Wages, Reg.
30,000	113.00	220	101	Police	ARFA
8,000	130.00	220		Police	Overtime
3,000	110.00	223		Animal Control	Salaries & Wages, Reg.
5,000	210.00	320		Recreation	Utilities
10,000	210.00	350		Parks	Utilities
				TRANSFER TO:	
15	401.00	140		City Clerk	Membership & Dues
5,000	210.00	210		Fire	Utilities
16,400	240.00	223		Animal Control	Contractual Services
2,000	210.00	291	101	McHenry Mansion	Utilities
10,000	321.00	500		Water	Construction Materials
35,000	210.00	500		Water	Utilities
96,500	6301.00	500		Water	New Services
13,300	6766.00	500		Water	Srvc. Cap. - Pump Stn. 41



SEE REVERSE .....

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	
Finance Dept.	

Originating Dept.

Finance

101
Fund

(This form for transferring appropriations within a fund.) 2 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
40,000	210.00	430		Electrical	Utilities
22,000	110.00	420		Building Inspection	Salaries & Wages, Reg.
10,000	110.00	500		Water	Salaries & Wages, Reg.
3,000	430.00	500	101	Water	Taxes
10,000	110.00	530		Water Quality Control	Salaries & Wages, Reg.
10,000	110.00	540		Garden Refuse	Salaries & Wages, Reg.
7,000	456.00	650		Miscellaneous	SAAG, Dues
58,009	060.00	800		Reserve	General Reserve
				TRANSFER TO:	
5,000	210.00	520		Sewers	Utilities
25,000	204.00	550		City Hall	Communications
8,000	210.00	550		City Hall	Utilities
10,000	238.00	650	101	Miscellaneous	Elections
2,500	301.00	650		Miscellaneous	Office Supplies
450	401.00	650		Miscellaneous	Membership Dues
58,009	940.00	900		Interfund Transfer	Interfund Transfer Out

JUSTIFICATION: (Use reverse side if more space is needed.)

To redistrubute appropriations between 8 utility accounts (210.00) and implement other mid-year general fund adjustments per attached Mid-year Budget Report dated 3/1/79. (General Fund)

	Signature	Date
Transfer Requested by DEPARTMENT HEAD OR AUTHORIZED ASSISTANT	Pete Bosch	3/7/79
Approved as to funds and accounts by DIRECTOR OF FINANCE	Paul V. Reid	3-7-79
Approved by CITY MANAGER		

COUNCIL ACTION:

The above requested appropriation transfer was approved _____ disapproved _____
by Resolution Number _____
at the Council Meeting _____

_____
Signature of City Clerk

Transfer No. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 79-222

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO TRANSFER AVAILABLE CAPITAL PROJECT BALANCES TO GENERAL RESERVES PER MID-YEAR BUDGET REPORT DATED MARCH 1, 1979

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SEE SCHEDULE "A"

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	✓
Finance Dept.	

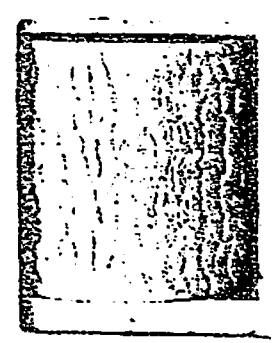
Originating Dept.

Finance

see below
Fund

(This form for transferring appropriations within a fund.) 1 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
40,000	6776.00	-	212		Sewer Line/Spencer, California to Seybold
2,000	6589.00	-	212		Emerald Pump Stn. Imp.
22,834	6576.00	-	212		Methane Conversion
62,439	6410.00	270	321	Parks & Recreation	Muncy Neighborhood Park
24,193	6396.00	270	321	Parks & Recreation	Coffee Sylvan Park acq.
				TRANSFER TO:	
64,834	060.00	800	212	Reserve	General Reserve
236,632	060.00	800	321	Reserve	General Reserve
40,000	060.00	800	324	Reserve	General Reserve
573,720	060.00	800	323	Reserve	General Reserve



SEE REVERSE.....

REQUEST FOR
APPROPRIATION TRANSFER

ROUTING:	Initial
Finance Dept.	
City Manager	
City Clerk	
Finance Dept.	

Originating Dept.

Finance

see below
Fund

(This form for transferring appropriations within a fund.) 2 of 2

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
150,000	6146.00	560	321	Parking & Traffic	T/S Mod. McHenry - Briggsm
40,000	6411.00	560	324	Parking & Traffic	Airport Neighborhood Park
493,720	6372.00	560	328	Parking & Traffic	Beyer Neighborhood Park
80,000	6410.00	560	328	Parking & Traffic	Muncy Neighborhood Park
				TRANSFER TO:	

JUSTIFICATION: (Use reverse side if more space is needed.)

To transfer available Capital Project balances to General Reserves per attached Mid-year Budget Report dated 3/1/79.

	Signature	Date
Transfer Requested by DEPARTMENT HEAD OR AUTHORIZED ASSISTANT	Pete Reed	3/1/79
Approved as to funds and accounts by DIRECTOR OF FINANCE	Clark N. Reed	3-7-79
Approved by CITY MANAGER		

COUNCIL ACTION:

The above requested appropriation transfer was approved _____ disapproved _____ by Resolution Number _____ at the Council Meeting _____

_____
Signature of City Clerk

Transfer No. _____

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 223

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1978-79.

WHEREAS, it has been determined that certain adjustments are required to the Final Budget of the City of Modesto for Fiscal Year 1978-79 to more accurately reflect changes which have occurred,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following adjustments be made to the final budget of the City of Modesto for Fiscal Year 1978-79:

General Fund (Fund No. 101)

A. Revenue estimates be changed as follows:

1. The amount of revenue estimated in Revenue Account No. 222, County Recreation Allocation, be decreased $30,000.00 from $30,000.00 to $0.00.
2. The amount of revenue estimated in Revenue Account No. 242, School Recreation Allocation, be decreased $11,500.00 from $11,500.00 to $0.00.
3. The amount of revenue estimated in Revenue Account No. 241, School Neighborhood Youth Advisor Allocation, be increased $2,630.00 from $0.00 to $2,630.00.

B. Appropriation be adjusted as follows:

Account	Description	From	To	Increase (Decrease)
60-800	General Reserve	$852,765.00	$813,895.00	($38,870.00)

School Site Facilities Tax Fund (Fund 300)

A. Appropriations be adjusted as follows:

Account	Description	From	To	Increase (Decrease)
6261-00	Portable Classrooms	$280,000.00	$230,000.00	($50,000.00)
6262-00	Empire Senior Elementary	87,800.00	120,000.00	32,200.00
6263-00	Hart Ransom Elementary	255,000.00	-0-	(255,000.00)
6264-00	Salida Elementary	334,487.00	331,000.00	(3,487.00)
6265-00	Empire Elementary	155,000.00	-0-	(155,000.00)
6266-00	Stanislaus Elementary	255,000.00	240,000.00	(15,000.00)
6273-00	Sylvan Elementary	254,266.00	-0-	(254,266.00)
60-800	General Reserve	(443,013.00)	257,540.00	700,553.00

Service Division (Fund 512, Dept. 480)

A. Appropriations be increased from the Service Division Retained Earnings General Ledger Account:

Account	Description	Increase (Decrease)
330	Gas, Oil and Lubricants	$ 20,300.00
332	Equipment Parts	60,000.00

Bus Service Fund (Fund No. 350)

A. Revenue estimates be changed as follows:

Account	Description	From	To	Increase (Decrease)
208	Local Transportation Allocation	$700,477.00	$668,723.00	($31,754.00
221	County Transportation	190,714.00	182,068.00	(8,646.00)
278	Federal Grant	1,494,291.00	1,332,691.00	(161,600.00)

B. Appropriation be reduced as follows:

Account	Description	From	To	Increase (Decrease)
6665	Replace Busses (2)	$202,000.00	$0.00	($202,000.00)

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-224

A RESOLUTION ELECTING COUNCILMEMBER HARRY T. KULLIJIAN VICE MAYOR OF THE CITY OF MODESTO FOR A PERIOD OF ONE YEAR

BE IT RESOLVED by the Council of the City of Modesto that Councilmember Harry T. Kullijian is hereby elected Vice Mayor of the City of Modesto for a period of one year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-225

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING OF A PLANNING COMMISSION DENIAL OF A PREZONING TO P-D ON THE SOUTHWEST CORNER OF STANDIFORD AVENUE AND CARVER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 17, 1979, at 7:00 **P.M.** in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Mid-Valley Engineering of a Planning Commission denial of a prezoning to P-D on the southwest corner of Standiford Avenue and Carver Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-226

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR REPAINTING VARIOUS STREET LIGHT POLES AND MAST ARMS

WHEREAS, Resolution No. 79-120, adopted by the Council of the City of Modesto on February 13, 1979, approved the plans and specifications for repainting various street light poles and mast arms and authorized the calling for bids, and

WHEREAS, the bids received for the repainting of various street light poles and mast arms were opened at 11:05 a.m. on February 27, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the bid proposal form was confusing, causing two of the bidders to make errors on the proposals, disqualifying their bids, it is recommended that the bid proposal form be modified and this item be rebid on April 10,1979, at 11:00 a.m.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for repainting various street light poles and mast arms, and opened in the office of the City Clerk at 11:05 a.m. on February 27, 1979, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES: Councilmembers: Siefkin
ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-227

A RESOLUTION ACCEPTING THE BID OF CREDENCE CONSTRUCTION COMPANY FOR CONSTRUCTION OF THE CLAUS ROAD STORM DRAIN

WHEREAS, Resolution No. 79-121 **, adopted by the Council of the City of Modesto on** February 13, 1979 **, approved the plans and specifications for the** construction of the **Claus** Road storm drain

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of the Claus Road storm drain

were opened at 2:05 p.m. on March 13, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Credence Construction Company in the amount of $127,852.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Credence Construction Co. in the amount of $127,852.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** March **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-228

A RESOLUTION ACCEPTING THE BID OF FRIES LANDSCAPE COMPANY FOR HYDRO-MULCHING AND IRRIGATION SYSTEM AT TUOLUMNE RIVER REGIONAL PARK

WHEREAS, Resolution No. 79-169 , adopted by the Council of the City of Modesto on February 27, 1979 , approved the plans and specifications for the hydromulching and irrigation system at Tuolumne River Regional Park

and authorized the calling for bids, and

WHEREAS, the bids received for the hydromulching and irrigation system at Tuolumne River Regional Park

were opened at 11:00 a.m. on March 13, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Fries Landscape Company in the amount of $8,804.99

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Fries Landscape Company in the amount of $8,804.99

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March ,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-229

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR FURNISHING MILLWORK FOR MCHENRY MANSION AND AUTHORIZING CALL FOR BIDS

WHEREAS, Resolution No. 79-152, adopted by the Council of the City of Modesto on February 13, 1979, approved issuance of a Purchase Order for milling work for McHenry Mansion, and

WHEREAS, bids were called for by the Purchasing Officer, and

WHEREAS, the bids received for the furnishing of millwork for McHenry Mansion were opened at 2:00 p.m. on March 6, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the only qualified bid submitted by San Francisco Victoria in the amount of $69,855.30 is extremely high in comparison to City estimates, and

WHEREAS, the Director of Public Works has recommended that staff modify the specifications to drop the bond requirement, which is apparently causing the small businessman to refrain from bidding, and rebid the project April 10, 1979, at 2:00 p.m.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the furnishing of millwork for McHenry Mansion, and opened in the office of the City Clerk on March 6, 1979, at 2:00 p.m. are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and

the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-230

A RESOLUTION ACCEPTING BID OF FRANK J. AZEVEDO, JR. IN THE AMOUNT OF $1.00 FOR THE PURCHASE OF PROPERTY LOCATED AT 525 SOUTH SUNSET AVENUE IN THE CITY OF MODESTO

WHEREAS, Resolution No. 79-147, adopted by the Council of the City of Modesto on February 13, 1979 approved the sale of a building located at 525 South Sunset Avenue in the City of Modesto; and

WHEREAS, written bids for the sale of buildings on parcels of land acquired for the Del Webb Soccer Field were set for opening at 10:00 a.m. on March 20, 1979; and

WHEREAS, the bids were considered by the Council at 4:05 p.m. on March 20, 1979; and

WHEREAS, the high bid of $1.00 was submitted by Frank J. Azevedo, Jr., 1329 Madrone Drive, Modesto, California for the building located at 525 South Sunset Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the high bid of Frank J. Azevedo, Jr., in the amount of $1.00 for the purchase of a building located at 525 South Sunset Avenue, is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-231

A RESOLUTION ACCEPTING BID OF JIM CHRISTIANSEN IN THE AMOUNT OF $5.00 FOR THE PURCHASE OF PROPERTY LOCATED AT 529 SOUTH SUNSET AVENUE IN THE CITY OF MODESTO

WHEREAS, Resolution No. 79-147, adopted by the Council of the City of Modesto on February 13, 1979 approved the sale of a building located at 529 South Sunset Avenue in the City of Modesto; and

WHEREAS, written bids for the sale of buildings on parcels of land acquired for the Del Webb Soccer Field were set for opening at 10:00 a.m. on March 20, 1979; and

WHEREAS, the bids were considered by the Council at 4:05 p.m. on March 20, 1979; and

WHEREAS, the high bid of $5.00 was submitted by Jim Christiansen, Route 4, Box 5500 Jennings Road, Modesto, California for the building located at 529 South Sunset Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the high bid of Jim Christiansen, in the amount of $5.00 for the purchase of a building located at 529 South Sunset Avenue, is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-232

A RESOLUTION DENYING THE APPEAL OF SAN JOAQUIN FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING ITS APPEAL REGARDING THE CHIEF BUILDING OFFICIAL'S INTERPRETATION OF THE CITY OF MODESTO'S SIGN REGULATIONS AND AFFIRMING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, the San Joaquin First Federal Savings and Loan Association has applied for permission to erect a sign on a tower above its building in the Planned Development Zone, P-D(109), on the west side of Dale Road opposite Veneman Avenue, and

WHEREAS, the Chief Building Official of the City of Modesto has refused to permit said sign at the above location finding it is not in conformance with the sign limitations of the P-D(109) Zone and the sign regulations of the Modesto Municipal Code, and

WHEREAS, an appeal to the Chief Building Official's refusal to permit said sign was filed with the Board of Zoning Adjustment by San Joaquin First Federal Savings and Loan Association on January 9, 1979, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on February 22, 1979, at 10:25 A.M. in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time the Board of Zoning Adjustment by Resolution No. 849 found and determined that the sign proposed to extend above the roof on a "sign tower" was a sign which did not conform to the sign limitations of the P-D(109) Zone and the sign regulations of the Modesto Municipal Code, and could not be approved, and

WHEREAS, the Board of Zoning Adjustment also found and determined that the decision of the Chief Building Official of the City of Modesto refusing to permit said sign should be affirmed and the appeal from that decision by the San Joaquin First Federal Savings and Loan Association should be denied, and

WHEREAS, San Joaquin First Federal Savings and Loan Association filed an appeal with the City Clerk of the City of Modesto on February 22, 1979, to the decision of the Board of Zoning Adjustment affirming the decision of the Chief Building Official and denying its appeal from his decision, and

WHEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock P. M. on March 20, 1979, at which time evidence both oral and documentary was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal to the decision of the Chief Building Official of the City of Modesto as affirmed by the Board of Zoning Adjustment by its Resolution No. 849 denying San Joaquin First Federal Savings and Loan Association's application for permission to erect a sign on a tower above its building in the Planned Development Zone, P-D(109) on the west side of Dale Road opposite Veneman Avenue is hereby denied for the reason set forth in said Board of Zoning Adjustment Resolution and referred to herein.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment affirming the decision of the Chief Building Official and denying the appeal of San Joaquin First Federal Savings and Loan Association for permission to erect a sign on a tower above its building in the P-D(109) Zone on the west side of Dale Road opposite Veneman Avenue is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Lang

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

PROJECT NO. 77/02/12 - 79/01/03

MODESTO CITY COUNCIL
RESOLUTION NO. 79-233

A RESOLUTION INSTRUCTING THE SUPERINTENDENT OF STREETS TO GIVE NOTICE REQUIRING CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Cahpter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto upon its own motion hereby orders the installation of the improvements described in the notices which are attached hereto and incorporated by reference herein.

SECTION 2. The Superintendent of Streets is hereby directed to deliver, mail and post said notices in the manner specified in Sections 5876 through 5879 of the Streets and Highways Code.

SECTION 3. The 10th day of April, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California is set as the time and place where the Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested person relating to the proposed work.

SECTION 4. The Superintendent of Streets is hereby authorized to implement the provisions of this resolution in accordance with the procedure contained in Chapter 27, Part 3, Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT. Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-234

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE CALIFORNIA NO. 1 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the California No. 1 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation

California No. 1

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED CALIFORNIA NO. 1 ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: 9.740 acres

Elementary School District: Modesto City

Response of School District: None

Fire District: Burbank-Paradise

Distance From Nearest City Fire Station: 1 mile from Station No. 2

Current Land Use: Agricultural

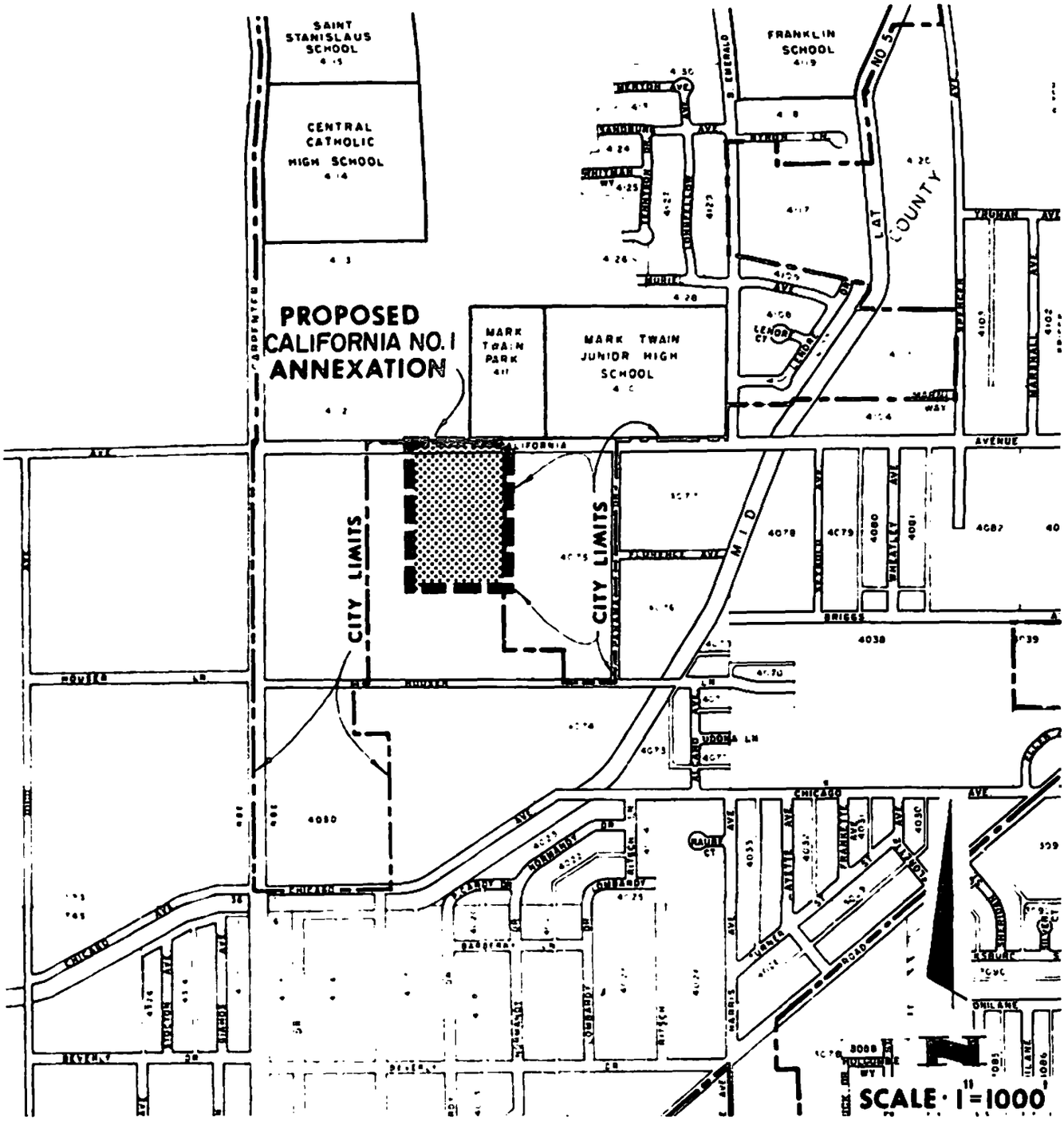
Anticipated Land Use: Residential

Water and Sanitary Sewer Service Availability: Sewer and water will become available after annexation.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment



PROPOSED CALIFORNIA NO. 1 ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-235

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE LINCOLN-PENNY NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Lincoln-Penny No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO

M E M O R A N D U M

Date: March 14, 1979

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED LINCOLN-PENNY NO. 2 ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: 62.727 acres

Elementary School District: Empire

Response of School District: None

Fire District: Empire

Distance From Nearest City Fire Station: 1-1/4 miles from Station No. 3

Current Land Use: Agricultural

Anticipated Land Use: Residential and City Park

Water and Sanitary Sewer Service Availability: Water and sewer will become available after annexation

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Lincoln-Penny No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None

MODESTO CITY COUNCIL
RESOLUTION NO. 79-236

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILROAD COMPANY FOR WIDENING OF STANDIFORD CROSSING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railroad Company for widening of Standiford crossing

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-237

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON UNCLASSIFIED USE PERMIT TO BRETHREN/THERAPEUTIC HOMES, INC. FOR A PRIVATE SCHOOL AT THE SOUTHEAST CORNER OF ROSEDALE AVENUE AND SIERRA DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 17, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an Unclassified Use Permit to Modesto Church of the Brethren/Therapeutic Homes, Inc. for a private school at the southeast corner of Rosedale Avenue and Sierra Drive.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** March **,** 19 79 **, by Councilmember** Siefkin **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-238

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FERNANDO BUSTAMANTE FOR THE PURCHASE OF HIS REAL PROPERTY LOCATED ON THE EAST SIDE OF SUNSET AVENUE TO BE USED AS PART OF AN ADDITION TO THE DEL WEBB SOCCER FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Fernando Bustamante for the purchase of his real property located on the east side of Sunset Avenue between Rouse Avenue and South Avenue,to be used as part of an addition to Del Webb Soccer Field, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-239

A RESOLUTION APPROVING LEASE/**AGREEMENT BETWEEN THE CITY OF MODESTO AND** DONALD H. AND MARGARET D. SCOTT FOR THE "PEACH ORCHARD PORTION" OF THE FORMER BOMBERGER PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the lease/**agreement between the City of Modesto and** Arnold C. and Helen J. Dickens for the "peach orchard portion" of the former Bomberger property will expire October 31, 1979, and the agreement with the new lessee, Donald H. and Margaret D. Scott **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** March, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-240

A RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX CERTAIN TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS THE MORNINGSIDE-SEPTEMBER ANNEXATION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter set forth, hereby proposes proceedings to annex to the City of Modesto all of the territory hereinafter described, in accordance and in compliance with the provisions of the Municipal Organization Act, Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

SECTION 2. That the Council's reasons for proposing said annexation proceedings are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide proper land use in conformity with the General Plan and the zoning regulations of the City of Modesto.

SECTION 3. That the territory which the Council proposes to annex is hereby identified as the Morningside-September Annexation to the City of Modesto as shown on the map attached hereto as Exhibit "A", and said territory consists of all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwest corner of SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

1. thence along the existing City Limits and the Northern line of OLD OAKDALE ADDITION (248), as per description filed February 5, 1970, as Instrument 3849, Stanislaus County Records, South 89° 59' 00" West, 1269.20 feet to a Southeastern corner of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (192), North 00° 45' 00" West, 646.00 feet;

3. thence continuing along the existing City Limits and a Southern line of said ADDITION (192), North 89° 36' 20" East, 1268.98 feet, to a Southeast corner of said ADDITION (192);

4. thence continuing along the existing City Limits and a Western line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records, South 00° 45' 45" East, 654.37 feet, to the point of beginning, containing 18.942 Acres, more or less.

SECTION 4. That the Council hereby makes application for and requests that proceedings be taken for annexation of the hereinabove described territory to the City of Modesto.

SECTION 5. That the attached "PLAN FOR PROVIDING SERVICES - MORNINGSIDE-SEPTEMBER ANNEXATION" marked Exhibit "B" is hereby submitted as the plan of the City of Modesto for providing services within the above described territory.

SECTION 6. That the City Clerk of the City of Modesto is hereby authorized and directed to submit to the Local Agency Formation Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, this Resolution of Application to annex to the City of Modesto the aforesaid territory in accordance with the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

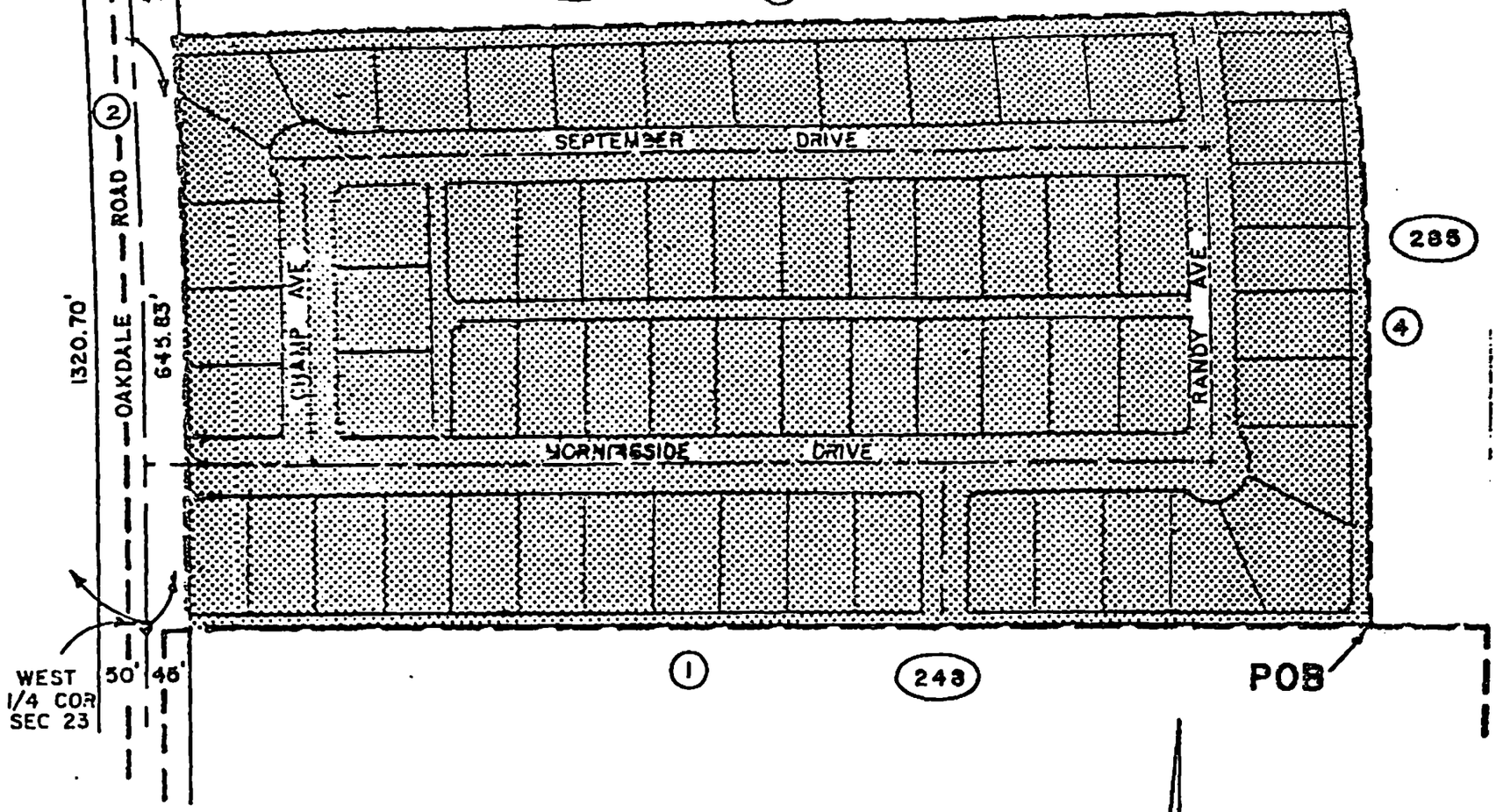
(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. A. Hesemeyer
Public Works Department



(1)	S 89° 59' 00" W	1269.20
(2)	N 00° 45' 00" W	646.00
(3)	N 89° 33' 20" E	1268.93
(4)	S 00° 45' 45" E	654.37

(192) MORNINGSIDE HEIGHTS ADDITION
FILED 6-14-'66 INST. 21018

(248) OLD OAKDALE ADDITION
FILED 2-5-'70 INST. 3849

(285) SONOMA NO. 3 ADDITION
FILED 4-26-'72 INST. 16760

BASIS OF BEARING: N 00° 45' 00" W FOR THE WEST LINE OF SECTION 23, AS PER MAP FILED 11-25-'64, IN 20-M-91 OF STANISLAUS COUNTY RECORDS. REFERENCES ARE TO STANISLAUS COUNTY RECORDS.

——— PREVIOUS ANNEXATION BOUNDARY

MORNINGSIDE-SEPTEMBER ANNEXATION

18.942 ACRES

MK 5-31-78
mk 2/22/79

Exhibit "A"

B-A-377

Upon completion of annexation to the City of Modesto, the following services will be made available or extended to properties in the annexation area in the manner indicated:

1. FIRE PROTECTION: Upon annexation the property will be withdrawn from the McHenry-Dry Creek Fire Protection District and fire protection will be provided by the Modesto Fire Department. Primary fire response would come from Fire Station No. 3 at El Vista Avenue and Edgebrook Drive. This service would be extended upon the effective date of annexation.

2. POLICE PROTECTION: Modesto City Police would assume responsibility for police protection upon the effective date of annexation.

3. GARDEN REFUSE PICKUP: Weekly garden refuse pickup would be extended to the area upon the effective date of annexation. There is no separate charge for this service.

4. SANITARY SEWER SERVICE: Currently 3 of the 63 parcels in the annexation area are connected to the City sewer system; 20 other lots are adjacent to the existing lines and can be connected. The lots would be required to connect to the sewer system within two years from the time the sewer becomes available. The City of Modesto anticipates that an improvement district will be formed and that the sewer will become available to the parcels not adjacent to existing lines within two years after the annexation is effective. The costs of connecting to the sewer may be financed as follows:

   a. Actual construction of sewer laterals where they do not presently exist will be financed by the formation of an improvement district. Financing through improvement district bonds could be for 15 years. A lateral fee is required for the lots adjacent to existing sewer lines but financing of this fee is not available.

   b. Bond redemption fees and subtrunk charges for all lots can be financed by the City of Modesto for a period of two years at 7 percent simple interest. (Payable bimonthly with sewer bill.)

   c. Remaining costs - The cost of actual connection of home to sewer is to be paid by property owner.

   The total cost of connecting to the City sanitary sewer system will vary considerably. For the homes located on the north side of September Drive, the cost will be approximately $1,625. For the homes located on the east side of Randy Avenue and the homes on the south side of Morningside Drive east of Patty Way, the cost will be approximately $1,550. These two areas can be served by existing lines. For the remaining homes in the annexation area, an improvement district must be formed and the cost will be approximately $2,200. For the homes already connected to the sewer there will be a savings on their service bill amounting to $8.22 annually.

5. WATER: Water service to the area is currently provided by the Del Este Water Company. This service would continue upon annexation.

6. GARBAGE COLLECTION: Garbage is presently collected from the annexation area by the Modesto Garbage Company. This company would continue the collection after annexation but at a slightly lower rate under the City franchise. The exact reduction would depend upon the level of service desired. (One-can pickup or two-can pickup.)

EXHIBIT "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-241

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE COFFEE-RUMBLE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire"for Coffee-Rumble Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Coffee-Rumble Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

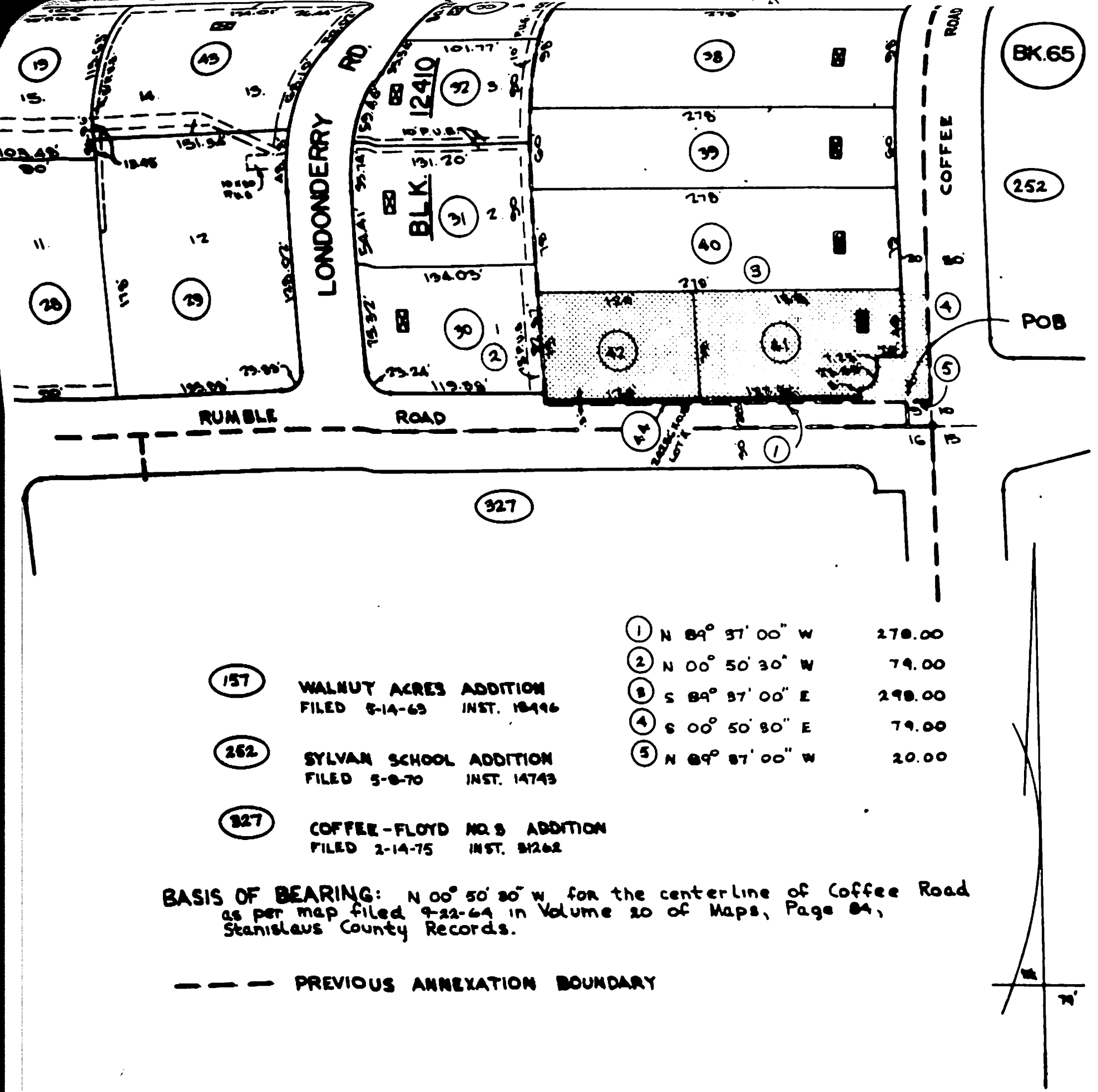
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None



①	N 89° 57' 00" W	278.00
②	N 00° 50' 30" W	79.00
③	S 89° 57' 00" E	298.00
④	S 00° 50' 30" E	79.00
⑤	N 89° 57' 00" W	20.00

(157) WALNUT ACRES ADDITION
FILED 8-14-69 INST. 18496

(252) SYLVAN SCHOOL ADDITION
FILED 5-8-70 INST. 14743

(327) COFFEE-FLOYD NO. 8 ADDITION
FILED 2-14-75 INST. 21262

BASIS OF BEARING: N 00° 50' 30" W for the centerline of Coffee Road as per map filed 9-22-64 in Volume 20 of Maps, Page 84, Stanislaus County Records.

— — — PREVIOUS ANNEXATION BOUNDARY

COFFEE-RUMBLE ANNEXATION

0.540 ACRES

m. kostiz

5-A-396

MODESTO CITY COUNCIL
RESOLUTION NO. 79-242

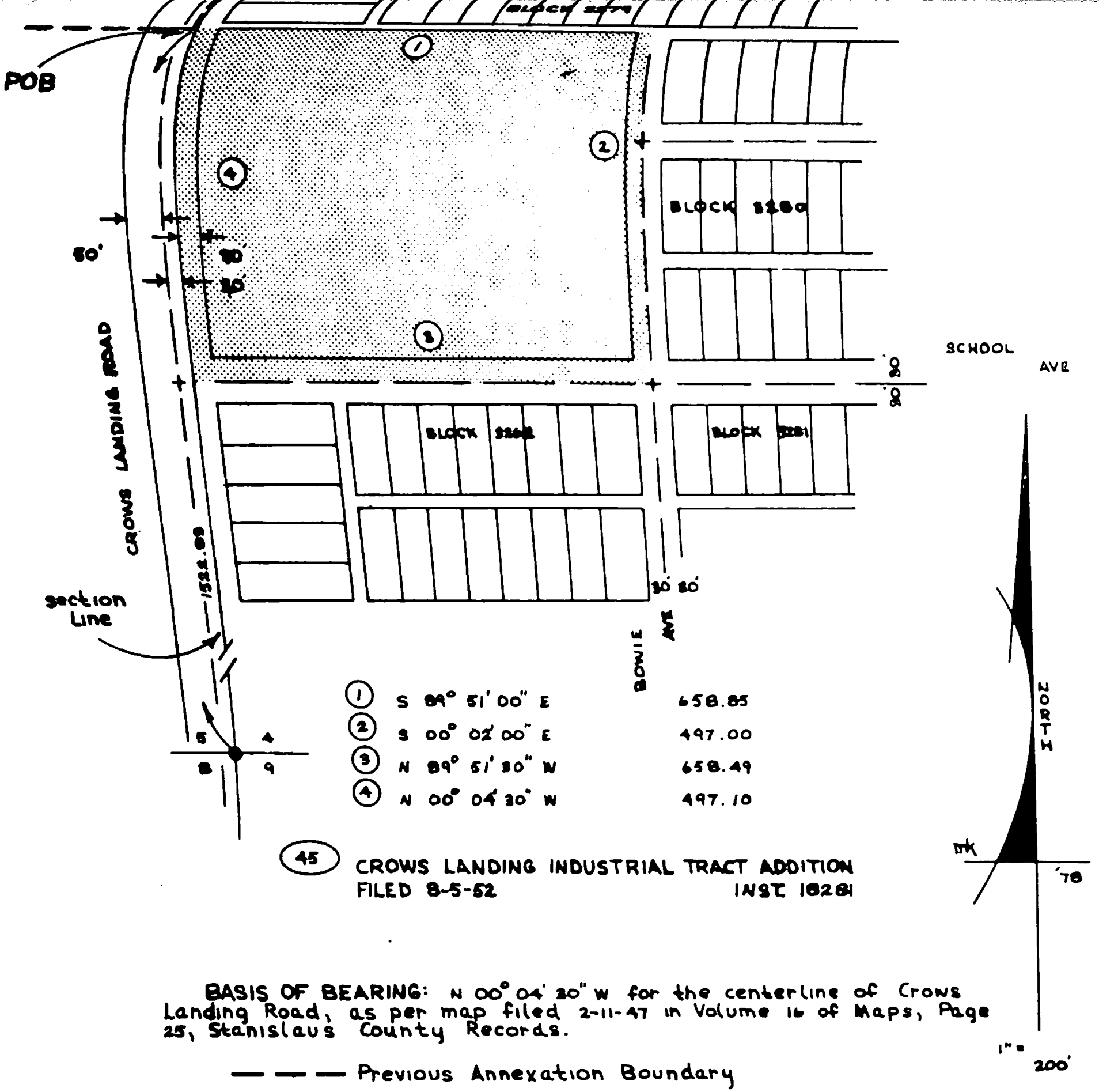
A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE SHACKELFORD SCHOOL ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Shackelford School Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



(1)	S 89° 51' 00" E	658.85
(2)	S 00° 02' 00" E	497.00
(3)	N 89° 51' 30" W	658.49
(4)	N 00° 04' 30" W	497.10

(45) CROWS LANDING INDUSTRIAL TRACT ADDITION
FILED 8-5-52 INST. 18281

BASIS OF BEARING: N 00° 04' 30" W for the centerline of Crows Landing Road, as per map filed 2-11-47 in Volume 16 of Maps, Page 25, Stanislaus County Records.

— — — Previous Annexation Boundary

SHACKELFORD SCHOOL ANNEXATION

7.516 ACRES

M. Kostiz

5-A-345

MODESTO CITY COUNCIL
RESOLUTION NO. 79-243

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE SCENIC-CLAUS ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Scenic-Claus Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Scenic-Claus Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

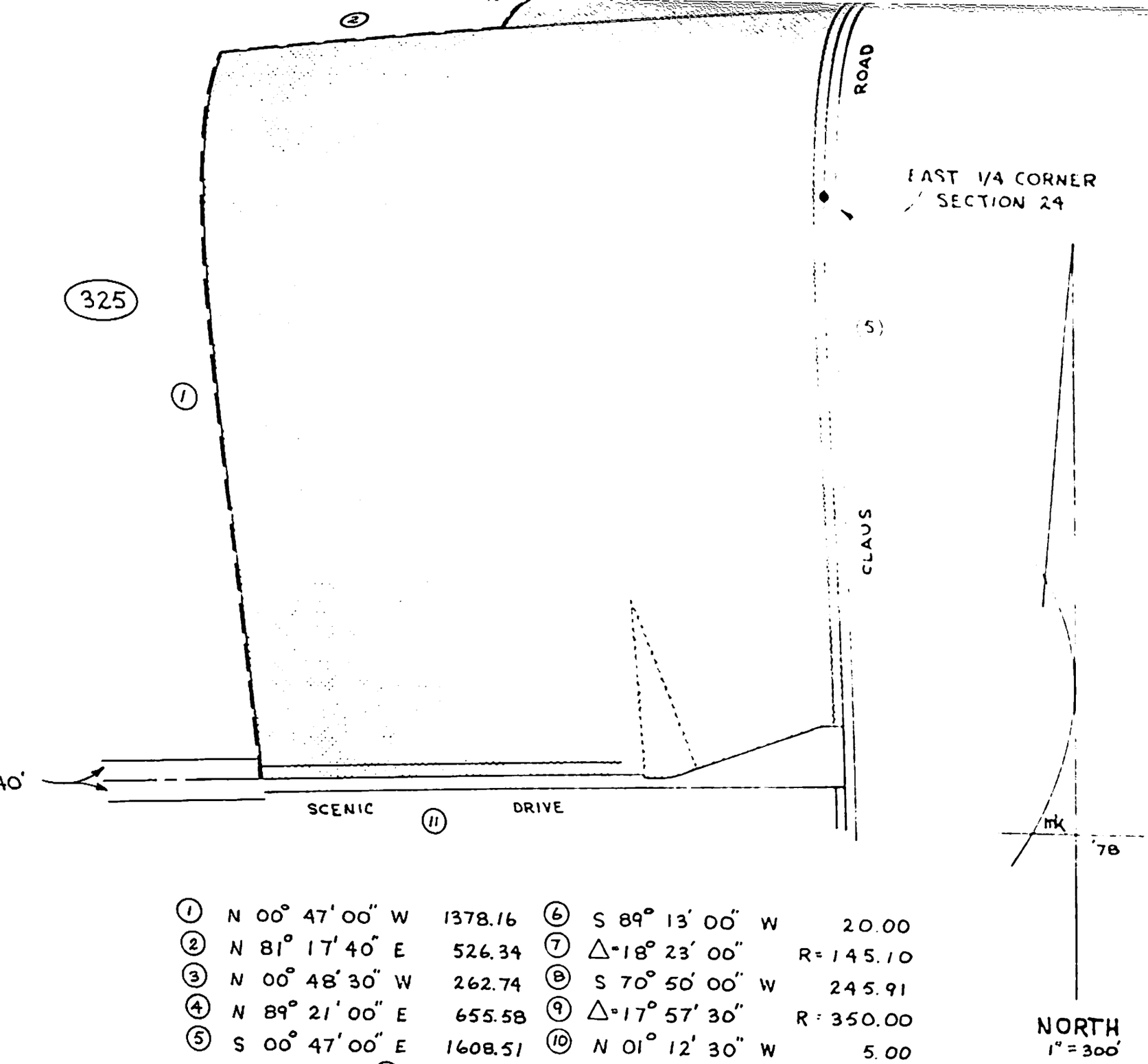
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None



(1)	N 00° 47' 00" W	1378.16	(6)	S 89° 13' 00" W	20.00
(2)	N 81° 17' 40" E	526.34	(7)	Δ=18° 23' 00"	R=145.10
(3)	N 00° 48' 30" W	262.74	(8)	S 70° 50' 00" W	245.91
(4)	N 89° 21' 00" E	655.58	(9)	Δ=17° 57' 30"	R=350.00
(5)	S 00° 47' 00" E	1608.51	(10)	N 01° 12' 30" W	5.00
			(11)	S 88° 48' 00" W	769.86

(325) SPRING CREEK ADDITION
FILED 1-15-75 INST. 26879

BASIS OF BEARING: S 00° 47' 00" E for the centerline of Claus Road as per map filed 4-27-09 in volume 4 of maps, page 20, Stanislaus County Records.

SCENIC-CLAUS ANNEXATION

42.173 ACRES

MODESTO CITY COUNCIL
RESOLUTION NO. 79-244

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE SUNNYSIDE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Sunnyside Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Sunnyside Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

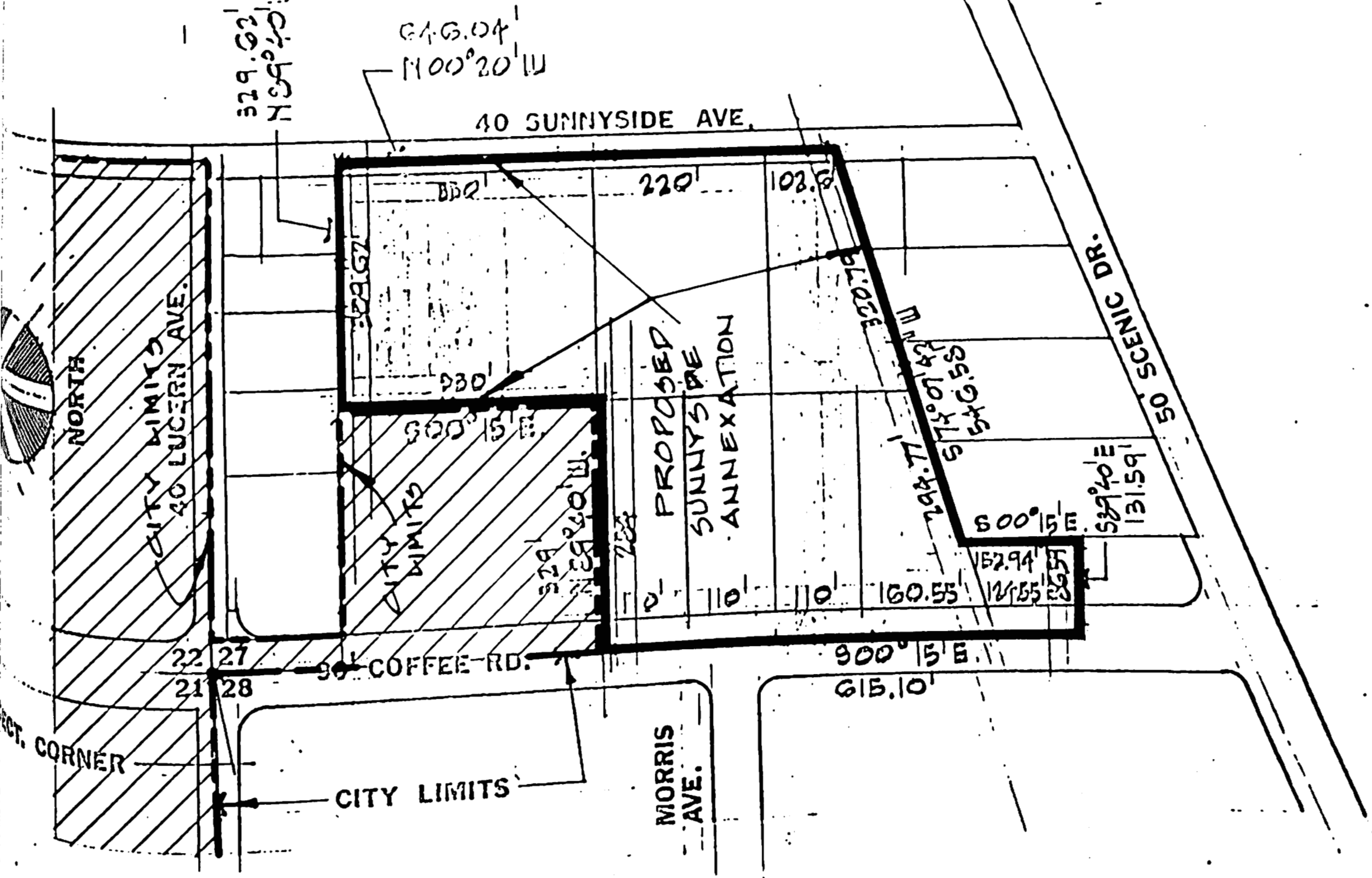
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None



PROPOSED SUNNYSIDE ANNEXATION TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-245

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM THE HOUSING AND COMMUNITY DEVELOPMENT ACT GENERAL RESERVE TO COVER THE COST OF THE PERMANENT RELOCATION PROGRAM

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Housing and Community Development Fund General Reserve (60-800-224)	$10,000
TO:	Permanent Relocation (496-02-185-224)	$10,000

To adjust budget appropriations to reflect actual and anticipated expenditures.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-246

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF GERALD OBERKAMPER AS A MEMBER OF THE FARM-CITY ADVISORY COMMITTEE, EFFECTIVE MARCH 27, 1979

WHEREAS, Gerald Oberkamper was appointed as a member of the Farm-City Advisory Committee on December 16, 1968, and

WHEREAS, Gerald Oberkamper has tendered his resignation as a member of the Farm-City Advisory Committee, effective March 27, 1979, and

WHEREAS, Gerald Oberkamper has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Gerald Oberkamper as a member of the Farm-City Advisory Committee is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Gerald Oberkamper for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-247

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING TO A PLANNING COMMISSION DECISION CONCERNING RE-ZONING PROPERTY ON OLIVERO ROAD WEST OF TIDEWATER SOUTHERN RAILROAD (JIM LAMATIS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 24, 1979 , at 7:30 **P.M.** in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Mid-Valley Engineering to a Planning Commission decision concerning re-zoning property on Olivero Road west of Tidewater Southern Railroad.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-248

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING TO A DECISION BY THE PLANNING COMMISSION REGARDING REZONING PROPERTY AT THE CORNER OF SCENIC AND CLAUS ROAD (MODESTO DEVELOPMENT)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 8, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Mid-Valley Engineering to a decision by the Planning Commission regarding rezoning property at the corner of Scenic and Claus Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-249

A RESOLUTION WAIVING THE ONE YEAR LIMITATION ON A NEW APPLICATION BY DAVID PIERCE BUTLER OF SANDERS & ASSOCIATES REAL ESTATE FOR AN AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO RECLASSIFY CERTAIN PROPERTY LOCATED THEREON.

WHEREAS, Section 10-2.2103 of the Modesto Municipal Code provides that no application for a zone boundary change shall be accepted by the Planning Commission for any property or area for which a previous application for a zone boundary change has been denied until one year has elapsed from the date of such denial, except that the City Council or the Planning Commission may waive the one year limitation, and

WHEREAS, an application for a zone boundary change to amend Section 7-3-9 of the Zoning Map was filed by Robert L. Hart on behalf of Gregory Development Company, Inc. on June 15, 1978, to reclassify from Planned Development Zone, P-D(133) to a new Planned Development Zone, P-D, property located on the north side of Standiford Avenue west of Tully Road in the City of Modesto, and

WHEREAS, at a public hearing held on August 28, 1978, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council of the City of Modesto denied the requested rezoning, and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council at its meeting held on March 27, 1979, determined that it was appropriate to waive the one year limitation in order that a new application could be submitted to the Planning Commission for an amendment to Section 7-3-9 of the Zoning Map to reclassify the property for which rezoning had been denied,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, it hereby waives the one year limitation for a new application to be

submitted to the Planning Commission for an amendment to Section 7-3-9 of the Zoning Map to reclassify the following described property:

> Commencing at the East quarter corner of Section 7, being also the intersection of the center lines of Tully Road and Standiford Avenue; thence North 89° 28' West along the East-West quarter section line of said Section 7, and said center line of Standiford Avenue, a distance of 515.65 feet to the point of beginning of this description; thence continuing North 89° 28' West, along said center line, a distance of 590.41 feet to the intersection of said center line with the Southerly prolongation of the Westerly line of Parcel 1-B as shown on Parcel Map recorded in Volume 15 of Parcel Maps, Page 83, Stanislaus County Records; thence North 1° 12' 20" West along said Southerly prolongation and the Westerly line of said Parcel 1-B, a distance of 463.56 feet; thence the following bearings and distances around said Parcel 1-B: North 88° 45' 45" East, 596.78 feet; South 0° 24' 59" East, 481.86 feet to the point of beginning.
>
> Containing 6.44 acres, gross, as measured to center of roadway.

BE IT FURTHER RESOLVED that this Council finds and determines that the waiving of the one year limitation will not adversely affect the interest of the general public.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

Approved as to Description:

By _____
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-250

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING TEN PORTABLE RADIOS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing ten portable radios required by the Police Department copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 17, 1979, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-251

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH THE CALIFORNIA STATE DEPARTMENT OF GENERAL SERVICES FOR THE PURCHASE OF TWENTY-SIX POLICE PATROL CARS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of twenty-six police patrol cars is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with the California State Department of General Services for the purchase of twenty-six police patrol cars for a total cost of $182,819.42.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-252

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 6074

WHEREAS, Resolution No. 79-181 **, adopted by the Council of the City of Modesto on** March 6, 1979 **, approved the plans and specifications for the** construction of waterline extension in Block 6074

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of waterline extension in Block 6074 **were opened at** 11:05 a.m. on March 20, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin Pipeline, Inc. in the amount of $4,260.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $4,260.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** March **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-253

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN ALMOND STREET

WHEREAS, Resolution No. 79-182 , adopted by the Council of the City of Modesto on March 6, 1979 , approved the plans and specifications for the construction of waterline extension in Almond Street

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of waterline extension in Almond Street

were opened at 11:00 a.m. on March 20, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $12,246.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $12,246.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March ,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-254

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ASPHALT CONCRETE RESURFACING OF VARIOUS CITY STREETS - SPRING 1978 AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction of asphalt concrete resurfacing of various City streets - Spring 1978 has been ccmpleted by George Reed, Inc.

in accordance with the contract agreement dated July 10, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of asphalt concrete resurfacing of various City streets - Spring 1978 be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $143,764.72 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-255

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SONOMA SUBTRUNK SEWER EXTENSION AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Sonoma subtrunk sewer extension has been completed by RACO, Inc.

in accordance with the contract agreement dated January 9, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Sonoma subtrunk sewer extension be accepted from said contractor, RACO, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $21,349.05 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-256

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH VALLEY BUILDING SPECIALTIES FOR THE FURNISHING AND INSTALLATION OF KOOLSHADE SUN SCREENS ON THE FOURTH FLOOR CITY HALL WINDOWS

WHEREAS, the City Hall expansion project did not include the continuation of the terracotta sun screen and it is determined additional window treatment is needed to help reduce the solar heat transfer.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the furnishing and installation of Koolshade sun screens on fourth floor City Hall windows is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Valley Building Specialties for the furnishing and installation of Koolshade sun screens on fourth floor City Hall windows for the total price of $4,873.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkir, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-257

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (WINMOORE WAY)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 6, 1979, duly adopted Resolution No. 79-107 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, March 27, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 193, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Elliott,

who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

December 8, 1978
October 4, 1978
July 25, 1978

WINMOORE WAY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 9, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the Western right-of-way line of the Tidewater Southern Railroad;

1. thence along the existing City Limits and a Western line of said ADDITION (85), South 00° 30' 15" East, 322.28 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (85), South 89° 52' 45" West, 2226.61 feet;

3. thence continuing along the existing City Limits, North 00° 11' 00" West, 1015.25 feet;

4. thence leaving the existing City Limits, North 89° 46' 30" East, 1872.90 feet;

5. thence North 00° 30' 30" West, 399.20 feet;

6. thence North 89° 46' 00" East, 278.00 feet;

7. thence South 00° 30' 30" East, 59.00 feet;

8. thence North 89° 46' 00" East, 70.00 feet, to the Western right-of-way line of the Tidewater Southern Railroad;

9. thence South 00° 30' 30" East, along said Railroad right-of-way, 1037.28 feet, to the point of beginning, containing 55.027 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 27, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Elliott, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 27, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-258

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (EAST COOLIDGE NO. 2)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 6, 19 79, duly adopted Resolution No. 79-108 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, March 27, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 194, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Kullijian,

who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Conway P.E.
Public Works Department

EAST COOLIDGE NO. 2 ADDITION

All that real property in the State of California, County of Stanislaus, being portions of the Southwest quarter of Section 15 and the Northwest quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records, said point being the intersection of Briggsmore Avenue and Rose Avenue:

1. thence along the existing City Limits along Rose Avenue and the Western line of ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, South 00° 40' 00" East, 76.96 feet, to the Northwestern corner of ROSE ACRES NO. 3 ADDITION (225), as per description filed January 24, 1969, as Instrument 2734, Stanislaus County Records;

2. thence continuing along the existing City Limits along said avenue and the Western line of said ADDITION (225), South 00° 40' 00" East, 643.78 feet, to the Northwest corner of KIENITZ ADDITION (179), as per description filed July 27, 1965, as Instrument 28973, Stanislaus County Records;

3. thence along the existing City Limits along said avenue and the Western line of said ADDITION (179), South 00° 40' 00" East, 346.35 feet, to the Northeastern corner of EAST ORANGEBURG NO. 5 ADDITION (271), as per description filed June 22, 1971, as Instrument 23063, Stanislaus County Records;

4. thence along the existing City Limits and the Northern line of said ADDITION (271), South 89° 50' 00" West, 1311.94 feet, to the Northwest corner of EAST ORANGEBURG NO. 4 ADDITION (270), as per description filed May 24, 1971, as Instrument 18983, Stanislaus County Records;

5. thence along the existing City Limits and the Northern line of said ADDITION (270), South 89° 52' 15" West, 1314.27 feet, to the center line of 90.00 foot Coffee Road;

6. thence along the existing City Limits along the center line of said road and an Eastern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 00° 30' 00" West, 329.35 feet, to the intersection of 90.00 foot Coffee Road and 60.00 foot East Coolidge Avenue and the Southwest corner of COFFEE-COOLIDGE ADDITION (358), as per description filed August 8, 1977, as Instrument 11260, Stanislaus County Records;

7. thence along the existing City Limits and said avenue along the Southern line of said ADDITION (358), North 89° 52' 00" East, 274.00 feet, to the intersection of the center lines of 60.00 foot East Coolidge Avenue and 50.00 foot Water Street and the Southeast corner of said ADDITION (358);

8. thence along the existing City Limits and 50.00 foot Water Street along the Eastern line of said ADDITION (358), North 00° 30' 00" West, 659.20 feet, to the Northern line of Section 22 and the Northwest corner of said ADDITION (358);

9. thence along the existing City Limits and along a Southern line of MEMORIAL HOSPITAL NORTH ADDITION (261), as per description filed November 4, 1970, as Instrument 36348, Stanislaus County Records, North 89° 49' 00" East, 1037.30 feet to a Southeastern corner of said ADDITION (261);

10. thence along the existing City Limits along an Eastern line of said ADDITION (261), North 00° 40' 00" West, 77.84 feet, to the North right-of-way line of M. I. D. Lateral No. 3 and the Southwest corner of ROSE ACRES NO. 5 ADDITION (295), as per description filed August 15, 1972, as Instrument 6329, Stanislaus County Records;

11. thence along the existing City Limits along the Southern line of said ADDITION (295), North 89° 50' 00" East, 1312.03 feet, to the point of beginning, containing 57.792 Acres, more or less.

43781

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 27, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Kullijian, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 27, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-259

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (CHEATHAM DRIVE)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 6, 19 79, duly adopted Resolution No. 79-109 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, March 27, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 195, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Muratore,

who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CHEATHAM DRIVE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the ROUSE ADDITION (215), as per description filed June 4, 1968, as Instrument 17171, Stanislaus County Records;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (215), South 00° 03' 00" East, 330.00 feet, to a Northeastern corner of the YOUNG ADDITION (149), as per description filed February 8, 1963, as Instrument 5122, Stanislaus County Records;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (149), South 89° 45' 00" West, 395.58 feet;

3. thence leaving the existing City Limits, North 00° 03' 00" West, 330.00 feet;

4. thence North 89° 45' 00" East, 395.58 feet, to the point of beginning, containing 3.073 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on March 27, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES: Councilmembers: Elliott, Mullijian, Lang, Muratore, Siefkin, Mayor Hensimer

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: March 27, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-260

A RESOLUTION GRANTING THE APPEAL OF TEAMSTERS LOCAL #748 FROM DECISION AND ORDER NO. 9-78 OF THE BOARD OF BUILDING APPEALS OF THE CITY OF MODESTO ESTABLISHING TIME LIMITS IN WHICH REPAIRS ARE TO BE MADE TO THE BUILDING LOCATED AT 1222 I STREET IN THE CITY OF MODESTO.

WHEREAS, a public hearing was held by the Board of Building Appeals of the City of Modesto, at 4 o'clock p.m. on December 21, 1978, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider an appeal filed by Teamsters Local #748, owner of the property located at 1222 I Street, Modesto, for additional time to comply with Decision and Order No. 2-78, dated June 15, 1978, of the Board of Building Appeals requiring repairs be made to the building located at 1222 I Street in the City of Modesto, and

WHEREAS, at said hearing above referred to, the Board of Building Appeals of the City of Modesto, by its Decision and Order No. 9-78, granted in part said appeal of Teamsters Local #748 and ordered all necessary permits and contracts be secured within 45 days and that the Board of Building Appeals be furnished a final schedule reflecting the completion dates for all required work within 60 days from the date of said hearing, and

WHEREAS, by letter dated January 22, 1979, addressed to the City Clerk of the City of Modesto, Teamsters Local #748 filed an appeal with the City Council of the City of Modesto, from said Decision and Order No. 9-78 of the Board of Building Appeals, and

WHEREAS, although said appeal was untimely for failure to be filed within the 15 day period specified in Section 204 of the Building Code of Modesto, the City Council of the City of Modesto waived said time limitation upon finding that the interests of third parties, and the general public, would not be jeopardized and set the matter for a public hearing before the City Council at 7:30 p.m., February 27, 1979, in the Council

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

WHEREAS, at said public hearing, after oral and documentary evidence was received and considered, the hearing was continued to March 27, 1979, at 7:30 p.m., and

WHEREAS, at said continued hearing, the City Council received additional evidence both oral and documentary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds as follows:

(1) The appellant, Teamsters Local #748, has been unable to complete the required repairs to the building owned by it at 1222 I Street in the City of Modesto because of an inability to raise the necessary funds.

(2) The membership of Teamsters Local #748 has recently approved an assessment of said members in an amount calculated and designed to generate sufficient funds to bringing said building into compliance with all of the applicable notices and orders of the Board of Building Appeals of the City of Modesto.

BE IT FURTHER RESOLVED that the appeal of Teamsters Local #748 to Decision and Order No. 9-78 of the Board of Building Appeals of the City of Modesto is hereby granted and the order of said Board requiring the securing of permits and contracts within certain specified time limits is hereby modified in accordance with the following:

(1) By September 1, 1979, Teamsters Local #748 shall obtain all necessary permits and enter into signed contracts for all of the work required to bring the building owned by said Teamsters Local #748 at 1222 I Street, Modesto, California, into compliance with all of the applicable notices and orders of the Board of Building Appeals of the City of Modesto.

(2) By December 31, 1979, Teamsters Local #748 shall complete all of the work required to bring the building owned by said Teamsters Local #748 at 1222 I Street, Modesto, California, into full compliance with all of the applicable notices

and orders of the Board of Building Appeals of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-261

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (214). (RICHARD PETERSON)

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Richard Peterson on January 22, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of said Southwest Quarter of Section 31, thence North 89°55' East along the North line of said Southwest Quarter of Section 31 and the centerline of California Avenue, a distance of 552.43 feet to the POINT OF BEGINNING of this description; thence continuing North 89°55' East, along said centerline of California Avenue, a distance of 110.00 feet to the centerline of Panama Drive; thence South 0°09'05" East, along said centerline of Panama Drive, a distance of 1340.10 feet to the centerline of Houser Lane; thence South 89°46'38" West, along said centerline of Houser Lane, a distance of 316.94 feet; thence North 0°07'47" West 220.00 feet; thence South 89°46'38" West 346.00 feet; thence North 0°07'47" West, along the West line of said Northeast Quarter of the Southwest Quarter of Section 31, a distance of 961.71 feet; thence North 89°55' East 552.49 feet; thence North 0°09'05" West 160.00 feet to the point of beginning.

CONTAINING: 16.62 Acres

WHEREAS, after public hearing held on February 20, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The project density is 10 units per net acre. This density is permitted in an R-1 area subject to P-D Zone review and conditions.

2. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments.

WHEREAS, after a public hearing held on March 27, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Richard Peterson for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1816 -C.S. on the 27th day of March, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(214).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (214), is hereby approved in accordance with the plan titled "Site Plan - Hacienda Villas", as amended in red on its face, stamped approved by the Planning Commission on February 20, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That the applicant shall submit a revised plot plan titled, "Site Plan - Hacienda Villas". This revised plan shall show all fencing height and type and the redesigned cul-de-sacs proposed by City staff. All development shall be in accordance with this plot plan as amended in red on its face, stamped approved by the Planning Commission on February 20, 1979, and on file in the office of the Director of Planning and Community Development.

2. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this resolution of approval has been issued and that it contains conditions affecting the use of the above described property. (Copies of the approved form are available at the Modesto Planning and Community Development Department.)

3. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

4. That building plans for the dwellings shall indicate a standard detail for adequate storage for garbage. Said garbage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

5. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

6. That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

7. That for all two-story units there shall be no second story windows on the rear elevation unless such windows are so screened as to be view obscuring in relation to adjacent lots.

8. That solid decorative masonry walls shall be constructed at the ends of all cul-de-sacs as shown on the plot plan.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (214):

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (214) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Dudley
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-262

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (RICHARD PETERSON)

WHEREAS, on March 27, 1979, the City Council introduced Ordinance No. 1816 -C. S. giving approval to a project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(214), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(214).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-263

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(215). (DAN BODILY)

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Dan Bodily on January 22, 1979, to prezone to Planned Development Zone, P-PD, the following described property:

All that certain real property situate in a portion of the Southwest Quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of the Northeast Quarter of the said Southwest Quarter of Section 31; thence South 0°09'09" East along the west line of said Northeast Quarter of the Southwest Quarter of Section 31, a distance of 269.98 feet to the POINT OF BEGINNING of this description; thence continuing South 0°09'09" East along said West line a distance of 513.37 feet; thence South 89°55' West along the South line of Parcel B as shown on map filed for record in Book 14 of Parcel Maps at Page 64, Stanislaus County Records, a distance of 526.25 feet to the Southwest corner of said Parcel B; thence North 0°51' West along the West line of said Parcel B, and the northerly extension thereof, a distance of 783.42 feet; thence North 89°55' East along the North line of said Southwest Quarter of Section 31 and the centerline of California Avenue, a distance of 312.08 feet; thence South 0°51' East along the west line of Parcel A as shown on said Parcel Map and the northerly extension thereof, a distance of 270.00 feet, to the Southwest corner of said Parcel A; thence North 89°55' East along the south line of said Parcel A, a distance of 220.42 feet to the point of beginning.

CONTAINING: 8.17 Acres

WHEREAS, after public hearing held on February 20, 1979, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The project density is 10 units per net acre. This density is permitted in an R-1 area subject to P-D Zone review and conditions.

2. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments.

WHEREAS, after a public hearing held on March 27, 1979, the Council found and determined that the application of Dan Bodily for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1817-C.S. on the 27th day of March, 1979, prezoning the above-described property to Planned Development Zone, P-PD(215).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(215), is hereby approved in accordance with the plan titled "Proposed Site Plan - Chablis Lane", as amended in red on its face, stamped approved by the Planning Commission , February 20 , 19 79, which said plan is on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That the applicant shall submit a revised plot plan titled, Proposed Site Plan - Chablis Lane". This revised plan shall show all fencing height and type and the redesigned cul-de-sacs proposed by City staff. All development shall be in accordance with this plot plan as amended in red on its face, stamped approved by the Planning Commission on February 20, 1979, and on file in the office of the Director of Planning and Community Development.

2. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this resolution of approval has been issued and that it contains conditions affecting the use of the above-described property. (Copies of the approved form are available at the Modesto Planning and Community Development Department.)

3. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

4. That building plans for the dwellings shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

5. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

6. That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

7. That for all two story units there shall be no second story windows on the rear elevation unless such windows are so screened as to be view obscuring in relation to adjacent lots.

8. That solid decorative masonry walls shall be constructed at the ends of all cul-de-sacs as shown on the plot plan.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(215):

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(215) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March _____, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-264

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON. (DAN BODILY)

WHEREAS, on March 27, 1979, the City Council introduced Ordinance No. 1817 - C. S. giving approval to a project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to prezone certain property to P-P-D(215), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to prezone certain property to P-P-D(215).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-265

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(216) . (HASCO DEVELOPMENT)

WHEREAS, a verified application for an amendment to Section 8-3-9 of the Zoning Map was filed by Hasco Development on January 12, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the southwest corner of the Northwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and running thence North, along the section line, 969.5 feet to the true point of beginning of the land hereby described; thence East, and parallel to the North line of said section 1902.04 feet to the west line of the lands now or formerly owned by Effie G. Rathburn; thence North 1° 45' West, along said line, 969.5 feet, more or less, to the South line of the lands now or formerly owned by Walter P. Wesson; thence West, along said South line, 1902.04 feet, more or less, to the section line, at a point thereon 700.3 feet South of the Northwest corner of the Northwest Quarter of Section 8; thence South along said line, 969.5 feet, more or less, to the true point of beginning.

EXCEPTING therefrom all that portion of said property lying South of the North line of the land heretofore conveyed to the City and County of San Francisco, by deed dated August 3, 1923, and recorded in Volume 31 of Official Records, at Page 204, Stanislaus County records.

WHEREAS, after public hearing held on February 20, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone provides less overall density as compared to the neighborhood prototype of the General Plan.

2. The proposed P-D development plan conforms nicely with the development pattern established to the north by providing one-story triplexes and one fourplex on the Tully Road frontage and by finishing out the three stub streets with single-family residential development on the larger, easterly portion

3. Care has been taken to assure compatibility and privacy with respect to neighboring property owners and the future residents of this development, respectively.

WHEREAS, after a public hearing held on March 27, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Hasco Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1818-C.S. on the 27th day of March, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (216).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (216), is hereby approved in accordance with the plan titled "Site Plan, Tahitian Plaza", as amended in red on its face, stamped approved by the Planning Commission on February 20, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plot plan titled "Site Plan, Tahitian Plaza", as amended in red on its face, stamped approved by the Planning Commission on February 20, 1979 and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. A typical set of plans for representative lots will be acceptable.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

5. That building plans for the single family dwellings shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

6. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

7. That prior to the issuance of a building permit for any structure other than model homes, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

8. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That for all two-story units there shall be no second-story windows on the rear elevation unless said windows are so screened as to be be view obscuring in relation to adjacent lots.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (216):

That the entire construction program be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (216) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brick
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-266

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (HASCO DEVELOPMENT).

WHEREAS, on March 27, 1979, the City Council introduced Ordinance No. 1818 -C. S. giving approval to a project relating to an amendment to Section 8-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(216), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(216).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-267

A RESOLUTION AUTHORIZING THE MAYOR TO MAKE AN OFFER TO THE STATE TO FACILITATE THE JENNIE STREET BRIDGE CONSTRUCTION

WHEREAS, it was agreed that it would be advantageous to facilitate traffic on Highway 132 (Grand Street) in Modesto.

THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Mayor is hereby authorized to make a financial offer to the State of California of $75,000 to pay for an environmental impact report on implementing the Jennie-Grand and 14th - 15th Streets couplets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-268

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALVIN G. AND BEVERLY A. WALLIS FOR THE PURCHASE OF 0.091± ACRES OF RIGHT OF WAY NEEDED FOR THE STANDIFORD - TULLY TO 300' WEST OF CARVER PROJECT.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Alvin G. and Beverly A. Wallis, for the purchase of 0.091± acres of right of way needed for the Standiford - Tully to 300' west of Carver project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-269

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VICTOR R. AND DORIS L. WRIGHT FOR THE PURCHASE OF 0.069± ACRES OF RIGHT OF WAY NEEDED FOR THE STANDIFORD - TULLY TO 300' WEST OF CARVER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Victor R. and Doris L. Wright for the purchase of 0.069± acres of right of way needed for the Standiford - Tully to 300' west of Carver project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-270

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GLEN E. AND ANN M. DORRITY FOR THE PURCHASE OF 0.086± ACRES OF RIGHT OF WAY NEEDED FOR THE STANDIFORD - TULLY TO 300' WEST OF CARVER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Glen E. and Ann M. Dorrity for the purchase of 0.086± acres of right of way needed for the Standiford - Tully to 300' west of Carver project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-271

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PAUL H. AND BLANCHE I. BALSBAUGH FOR IRRIGATION RIGHTS NEEDED FOR THE STANDIFORD - TULLY TO 300' WEST OF CARVER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Paul H. and Blanche I. Balsbaugh for irrigation rights needed for the Standiford - Tully to 300' west of Carver project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-272

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD R. AND ELDORA E. ANDREWS FOR THE PURCHASE OF PROPERTY AT 600-11TH STREET FOR HOUSING FIRE PREVENTION BUREAU

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald R. and Eldora E. Andrews for the purchase of property at 600 11th Street for housing Fire Prevention Bureau is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-273

A RESOLUTION APPROVING APPROPRIATION TRANSFER $23,732 FROM THE GENERAL FUND RESERVE TO THE FIRE PREVENTION BUREAU ACCOUNT FOR PROPERTY ACQUISITION

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Fund Reserve (60-00-321)	$23,732
TO:	Fire Prevention Bureau (6367-210-321)	$23,732

Additional funds required to complete purchase of property at 600 11th Street.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-274

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO THE PURCHASE OF PROPERTY AT 600-11TH STREET IN THE CITY OF MODESTO FOR THE PURPOSE OF REMODELING THE BUILDING THEREON TO OFFICES FOR THE FIRE PREVENTION BUREAU OF THE CITY OF MODESTO AND REMOVAL OF OLD DWELLING THEREON TO PROVIDE ON-SITE PARKING.

WHEREAS, on March 27, 1979, the City Council adopted Resolution No. 79-272 giving approval to a project relating to the purchase of property at 600-11th Street in the City of Modesto for the purpose of remodeling the building thereon to offices for the Fire Prevention Bureau of the City of Modesto and removal of old dwelling thereon to provide on-site parking, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the purchase of property at 600-11th Street in the City of Modesto for the purpose of remodeling the building thereon to offices for the Fire Prevention Bureau of the City of Modesto and removal of old dwelling thereon to provide on-site parking.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-275

AMENDED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CALIFORNIA BLUE SHIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/amended agreement between the City of Modesto and California Blue Shield for an amendment to the Employee Group Health Insurance regarding pregnancy and obstetrical benefits be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said/amended agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-276

A RESOLUTION ACCEPTING IMPROVEMENTS IN HOLLYWOOD PARK NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION INSTRUMENTS OF CREDIT

WHEREAS, Norman J. Winsor, Lola Jean Winsor, Fritz Hutcheson & Betty L. Hutcheson, subdividers of Hollywood Park No. 2 Subdivision, have filed subdivision / Instruments of Credit for faithful performance and labor and materials in the amount of $123,100 and $61,550 respectively to guarantee improvements in Hollywood Park No. 2 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 20, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision / Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Hollywood Park No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision / Instrument of Credit for faithful performance in the amount of $123,100 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision / Instrument of Credit for labor and materials in the amount of $61,550 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-277

A RESOLUTION APPROVING THE REQUEST OF ALBERS FEED FARM SUPPLY FOR REFUND FOR OVERPAYMENT OF THEIR CITY MILL TAXES IN THE AMOUNT OF $914.58

BE IT RESOLVED by the Council of the City of Modesto that the request of Albers Feed Farm Supply for refund of $914.58 for overpayment of their City mill taxes is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-278

A RESOLUTION APPOINTING MEMBER OF THE MODESTO CITY COUNCIL, THOMAS A. BRIGHT

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Modesto City Council for the respective term as indicated:

Thomas A. Bright
3304 Chalfant Court
Modesto, California

Term to expire - March, 1981

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the City Council and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-279

A RESOLUTION DENYING THE APPEAL OF W.W. CONSTRUCTION TO THE DECISION OF THE PLANNING COMMISSION RELATING TO THE PLOT PLAN FOR 13 ONE AND TWO-STORY APARTMENT UNITS IN THE R-2 ZONE LOCATED ON THE NORTH SIDE OF STANDIFORD AVENUE, EAST OF THE TSRR TRACKS.

WHEREAS, by Resolution No. 79-57 adopted by the Modesto City Planning Commission on March 5, 1979, the Planning Commission approved W.W. Construction's plot plan for 13 one and two-story apartment units in the R-2 Zone located on the north side of Standiford Avenue east of the Tidewater Southern Railroad tracks, and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by W.W. Construction by letter dated March 27, 1979, to condition number 16 of Planning Commission Resolution No. 79-57, which reads as follows:

> 16. Prior to the issuance of a building permit, the developer shall pay to the City of Modesto one-fifth of the cost of the Standiford Avenue Tidewater Southern Railroad crossing, the precise amount to be determined by the Director of Public Works,

and

WHEREAS, said appeal was considered by the City Council at its regular meeting on Tuesday, April 3, 1979, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by W.W. Construction to condition number 16 of Planning Commission Resolution No. 79-57 should be denied, and the decision of the Planning Commission should be affirmed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by W.W. Construction to condition number 16 of Planning Commission Resolution No. 79-57 entitled "A Resolution Approving a Plot Plan for 13 One and Two-Story Apartment Units in the R-2 Zone Located on the North Side of Standiford Avenue, East of the TSRR Track (W.W. Construction)", adopted on March 5, 1979, should be denied, and the imposition of condition number 16, set forth below, as a condition of approval of a plot plan for 13 one and two-story apartment units in the R-2 zone located on the north side of Standiford Avenue east of the Tidewater Southern Railroad tracks, should be affirmed:

> 16. Prior to the issuance of a building permit, the developer shall pay to the City of Modesto one-fifth of the cost of the Standiford Avenue Tidewater Southern Railroad crossing, the precise amount to be determined by the Director of Public Works.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-280

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF CORNELIUS NABERS AS A MEMBER OF THE HUMAN RIGHTS COMMISSION, EFFECTIVE APRIL 3, 1979

WHEREAS, Cornelius Nabers was appointed as a member of the Human Rights Commission on January 17, 1977; and

WHEREAS, Cornelius Nabers has tendered his resignation as a member of the Human Rights Commission, effective April 3, 1979; and

WHEREAS Cornelius Nabers has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Cornelius Nabers as a member of the Human Rights Commission is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Cornelius Nabers for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of March, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-281

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE CATCH BASIN CLEANER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one catch basin cleaner truck

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 24, 1979, at 2:15 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-282

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING FIRE FIGHTING EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing fire fighting equipment **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 24, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Cople
NORRINE COPLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-283

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION AT EAST ORANGEBURG AVENUE AND CLAUS ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension at East Orangeburg Avenue and Claus Road copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on April 24, 1979, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-284

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF FIRE STATION NO. 8

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Fire Station No. 8 copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 2:45 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Cozzle
NORRINE COZZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-285

A RESOLUTION ACCEPTING THE BID OF S.P.M. DEVELOPMENT COMPANY FOR PROJECT NO. 9 - REPLACEMENT OF CURBS AND DRIVE APPROACHES AT VARIOUS LOCATIONS

WHEREAS, Resolution No. 79-199 **, adopted by the Council of the City of Modesto on** March 13, 1979 **, approved the plans and specifications for** Project No. 9 - replacement of curbs and drive approaches at various locations **and authorized the calling for bids, and**

WHEREAS, the bids received for Project No. 9 - replacement of curbs and drive approaches at various locations **were opened at** 11:00 a.m. on March 27, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** S.P.M. Development Company in the amount of $15,018.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of S.P.M. Development Company in the amount of $15,018.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-286

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS - HOUSING TARGET AREA NO. 1 - PHASE III, AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of public improvements - Housing Target Area No. 1 - Phase III has been completed by George Reed, Inc.

in accordance with the contract agreement dated November 6, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of public improvements - Housing Target Area No. 1 - Phase III be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $41,083.30 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-287

A RESOLUTION ACCEPTING THE CONSTRUCTION OF A SUBTRUNK SEWER IN BLUE BIRD DRIVE

WHEREAS, a report has been filed by the Director of Public Works that the construction of a subtrunk sewer in Blue Bird Drive has been completed by RACO, Inc.

in accordance with the contract agreement dated November 20, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of a subtrunk sewer in Blue Bird Drive be accepted from said contractor, RACO, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $29,457.25 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-288

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH THE INDUSTRIAL ELECTRICAL COMPANY FOR THE INSTALLATION OF AN ELECTROLIER IN THE PARKING LOT AT DAVIS PARK

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the installation of an electrolier in the parking lot at Davis Park to discourage vandalism and eliminate a nuisance area, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with the Industrial Electrical Company for the installation of an electrolier in the parking lot at Davis Park for a total cost of $4,290.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO.
79-239

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (CROWS LANDING ROAD)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 13, 19 79, duly adopted Resolution No. 79-134 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, April 3, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 196, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Siefkin,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

CROWS LANDING ROAD ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 9 and the Southwest quarter of Section 9 and the Southeast quarter of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the MODESTO INDUSTRIAL PARK ADDITION (85), as per description filed March 10, 1959, as Instrument 6807, Stanislaus County Records, said point being on the East line of Crows Landing Road;

1. thence continuing along the existing City Limits and a Southern line of said ADDITION (85), along the quarter section line of Section 9, South 89° 54' 58" East, 1296.45 feet, to the Northeastern corner of the property conveyed to Joseph Agresti, et al, by deed recorded in Volume 2389 of Official Records at Page 537, Stanislaus County Records;

2. thence leaving the existing City Limits along the East line of said Agresti property, South 00° 10' 05" East, 647.00 feet, to the Southeastern corner thereof;

3. thence along the Southerly line of said Agresti property, and its Westerly extension, North 89° 50' 30" West, 1328.73 feet, to a point on the West line of said Section 9, said point also being on the center line of 60 foot Crows Landing Road;

4. thence along said Section line South 00° 02' 00" West, 550.06 feet;

5. thence parallel with and 120.00 feet North of the North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 660.00 feet;

6. thence South 00° 02' 00" West, 120.00 feet, to a point on said North line of the South half of the Southeast quarter of Section 8;

7. thence along said North line of the South half of the Southeast quarter of Section 8, North 89° 20' 00" West, 1369.60 feet, to a point on the Eastern line of the RUTHERFORD TRACT, as recorded in Volume 16 of Maps, Page 37, Stanislaus County Records;

8. thence along the East line of said tract, North 00° 13' 00" East, 660.00 feet, to a point on the Southern line of the FRAZIER HOME TRACT, as recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records;

9. thence along the Northern line of the property conveyed to Richard G. Herron, et al, by deed recorded in Volume 3032 of Official Records, at Page 68, Stanislaus County Records, South 89° 20' 00" East, 747.90 feet, to the Southwestern corner of the property conveyed to Alfred T. Sarina, et al, by deed recorded in Volume 3036, Page 212, Stanislaus County Records;

10. thence along the Western line of said Sarina property and its Northerly extension, North 00° 03' 30" East, 204.69 feet, to the center line of 60.00 foot Imperial Avenue;

11. thence along said center line, South 89° 14' 00" East, 60.00 feet, to its intersection with the Northerly extension of the Eastern line of the Sarina property;

12. thence along the Northerly extension of the Eastern line of the aforementioned Sarina property, South 00° 03' 30" West, 204.68 feet, to the Southwestern corner of said property;

13. thence along the Northern line of the aforementioned Herron property, South 89° 20' 00" East, 559.30 feet, to a point on the Western line of the property conveyed to Industrial Fire Protection District by deed recorded in Volume 3031, Page 646, Stanislaus County Records;

14. thence South 00° 02' 00" West, 100.00 feet;

15. thence South 89° 20' 00" East, 367.85 feet;

16. thence North 00° 02' 00" East, 50.00 feet, to the Southeast corner of Parcel 1 as recorded in Book 4 of Parcel Maps, Page 99, Stanislaus County Records;

17. thence along the Eastern line of said Parcel 1 and its Northerly extension as shown and recorded in Volume 4 of Parcel Maps, Page 50, Stanislaus County Records, North 00° 02' 00" East, 217.70 feet, to a point on the center line of 60.00 foot Imperial Avenue;

18. thence along said center line South 74° 24' 00" East, 92.58 feet;

19. thence along said center line South 89° 14' 00" East, 203.37 feet, to said West line of Section 9;

20. thence along said Western line of Section 9, North 00° 02' 00" East, 511.92 feet, to the West quarter corner of Section 9;

21. thence along the East West quarter Section line of said Section 9, South 89° 54' 58" East, 30.00 feet, to the point of beginning, containing 49.031 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on April 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: April 3, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-290

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (DALE-SNYDER)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 13, 19 79, duly adopted Resolution No. 79-135 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, April 3, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 197, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Muratore,

who moved its adoption, which motion being duly seconded by Councilmember ~~Siefkin~~, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger.

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roger Campbell
Public Works Department

DALE - SNYDER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern corner of the BECKWITH NO. 1 ADDITION (306), as per description filed June 19, 1973, as Instrument 54524, Stanislaus County Records, said point being on the center line of Dale Road and the section line common to Sections 11 and 12;

1. thence continuing along the existing City Limits and a Northern line of said ADDITION (306), South 89° 40' 39" West, 2642.49 feet;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (306), North 00° 07' 05" East, 665.10 feet, to the North quarter corner of Section 11;

3. thence continuing along the existing City Limits and the Southern line of PELANDALE NO. 1 ADDITION (370), as per description filed March 29, 1978, as Instrument 61430, Stanislaus County Records, North 89° 44' 14" East, 2641.11 feet, to the Northeastern corner of Section 11, and the center line of Dale Road;

4. thence leaving the existing City Limits and continuing along the center line of Dale Road, South, 662.34 feet, to the point of beginning, containing 40.252 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on April 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES: Councilmembers: Elliott, Lane, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: April 3, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-291

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (BRIGGS-WHEATLEY)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on February 13, 19 79, duly adopted Resolution No. 79-136 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, April 3, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 198, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

BRIGGS - WHEATLEY ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being all of Lots 11 and 16 of the RE-SURVEY OF BRICHMAN'S ADDITION TO THE CITY OF MODESTO, as per map filed October 10, 1904, in Volume 2 of Maps, Page 1, Stanislaus County Records, described as follows:

Beginning at a point on the existing City Limits as established by the Northwest corner of the BRIGGS NO. 1 ANNEXATION (387), as per description filed October 30, 1978, as Instrument 28121, Stanislaus County Records, said point being the center line of 60.00 foot Briggs Avenue;

1. thence continuing along the existing City Limits and the Western line of said ADDITION (387), South 00° 11' 00" West, 496.68 feet;

2. thence leaving the existing City Limits, North 89° 49' 00" West, 933.36 feet;

3. thence North 00° 11' 00" East, 496.68 feet, to the center line of Briggs Avenue;

4. thence along the center line of Briggs Avenue, South 89° 49' 00" East, 933.36 feet, to the point of beginning, containing 10.642 Acres, more or less.

CLERK'S CERTIFICATE

I, Noerine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on April 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lane, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Elliott, Lane, Muratore, Pieffin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Williams

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: April 3, 1979

Noerine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-292

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (JOHN H. CEARLEY).

WHEREAS, on April 3, 1979, the City Council introduced Ordinance No. 1819 -C. S. giving approval to a project relating to an amendment to Section 21-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 21-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-293

A RESOLUTION ACCEPTING IMPROVEMENTS IN BEYERWOOD EAST NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Stonewood Development Company, subdividers of Beyerwood East No. 1 Subdivision, have filed subdivision Bonds for faithful performance and labor and materials in the amount of $322,000 and $161,000 respectively to guarantee improvements in Beyerwood East No. 1 Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated March 22, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Beyerwood East No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $322,000 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $161,000 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-294

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE ONE REMAINING PARCEL OF RIGHT OF WAY FROM L.R. VAN HORN, JR. FOR THE STANDIFORD AVENUE - TULLY TO MCHENRY WIDENING PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 1, 1979 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for** a hearing of necessity to acquire one remaining parcel of right of way from L.R. Van Horn, Jr. for the Standiford Avenue - Tully to McHenry widening project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-295

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT TO GRANT M.I.D. FIVE EASEMENT PARCELS IN THE DRY CREEK PARK AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District to grant M.I.D. five easement parcels in the Dry Creek Park area.

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-296

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DANNIE F. AND FANNY M. BEACHLER FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 2319 SEPTEMBER DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Dannie F. and Fanny M. Beachler **for** sewer service to property outside City limits at 2319 September Drive, located on the northwest corner of September Drive and Randy Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-297

A RESOLUTION APPROVING THE FINAL MAP OF THE SYLVAN MEADOWS NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stone Bros. & Associates, a partnership,

is (~~xxx~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 5.210 acres, known as the Sylvan Meadows No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 20th day of June, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sylvan Meadows No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-298

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR ORANGEBURG-CLAUS NO. 3 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Orangeburg-Claus No. 3 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO

M E M O R A N D U M

Date: March 27, 1979

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED ORANGEBURG-CLAUS NO. 3 ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: 23.57 acres

Elementary School District: Empire Union

Response of School District: No objection

Fire District: McHenry - Dry Creek

Distance From Nearest City Fire Station: Station No. 3 - 2-3/4 miles

Current Land Use: Agricultural

Anticipated Land Use: Residential subdivision -- Tentative map has been filed to create 68 single-family and 2 multiple-family lots.

Water and Sanitary Sewer Service Availability: Services are available

This annexation has been submitted to LAFCO by the property owner.
The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Orangeburg-Claus No. 3

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

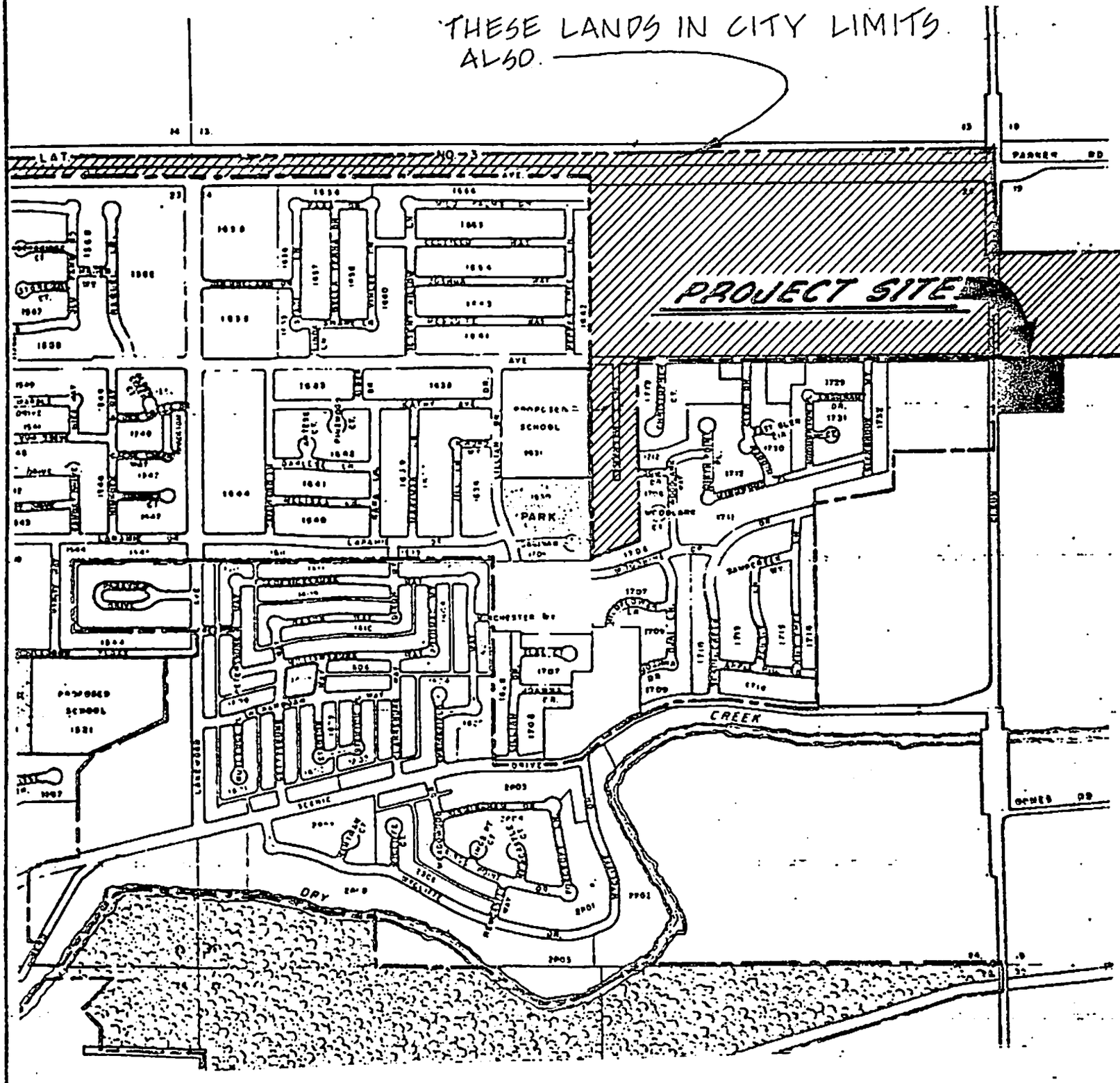
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

A tentative subdivision map (Fara Estates) has been filed with the Modesto City Planning Commission which would create 70 residential lots in this annexation area.



VICINITY MAP

No Scale

MODESTO CITY COUNCIL
RESOLUTION NO. 79-299

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON PLANNING COMMISSION'S RECOMMENDATION THAT THE CITY NOT PURCHASE A NEIGHBORHOOD PARK SITE IN THE VICINITY OF BURBANK SCHOOL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 24, 1979 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** the Planning Commission's recommendation that the City not purchase a neighborhood park site in the vicinity of Burbank School.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-300

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 24-3-9 OF THE ZONING MAP (ORANGEBURG PLAZA GROUP)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 19, 1979 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 24-3-9 of the Zoning Map, to rezone from R-1 and R-2 to P-D(220) property located at the southwest corner of Claus Road and E. Orangeburg Avenue to allow a 36-unit zero lot line subdivision and a 40-unit apartment complex **the following described property:**

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-76 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 24-3-9 **of the Zoning Map be set for** April 24, 1979, at 7:30 p.m., **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of Lot 16, Idaho Colony in the Northeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

R-2 to P-D

All of the north 552.03 feet of the east 420.00 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909, in Volume 4 of Maps, at page 21, Stanislaus County Records.

R-1 to P-D

All of the north 552.03 feet of the west 235 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909 in Volume 4 of Maps, at page 21, Stanislaus County Records.

SCHEDULE "A"
Orangeburg Plaza Group
#30 4/3/79 Agenda

MODESTO CITY COUNCIL
RESOLUTION NO. 79-301

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AMENDMENT TO P-D(21) TO ALLOW PROFESSIONAL OFFICES IN PLACE OF APARTMENTS (TULLY MANOR INVESTMENT TRUST)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 1, 1979, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an amendment to P-D(21) to allow professional offices in place of apartments on the north side of Woodrow Avenue, east of Tully Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-302

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (STAN GALAS - SUNDIAL LODGE)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 19, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map, to rezone from R-3 to P-D(219) property located on the east side of McHenry Avenue between Helen Avenue and Hintze Avenue to allow expansion of the Sundial Lodge
the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-72 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for April 24, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southwest Quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Southwest corner of said Section 21; thence North 0° 56' 00" West 1,046.54 feet along the West line of said Section 21 to the westerly extension of the South line of 60-foot wide Hintze Avenue; thence North 88° 57' 00" East 238.00 feet along said South line to the POINT OF BEGINNING of this description; thence continuing along said South line of Hintze Avenue North 88° 57' 00" East 195.58 feet; thence North 80° 57' 00" East 56.97 feet along said South line; thence South 0° 39' 00" East 109.02 feet; thence South 22° 41' 00" East 62.69 feet; thence South 89° 34' 00" East 146.71 feet to the West line of the 10-foot abandoned alley adjoining Block 621 of the Amended Map of Leslie Hugh Tract; thence South 0° 54' 00" East 95.00 feet along said West line; thence North 88° 55' 00" West 421.14 feet more or less; thence North 0° 56' 00" West 245.28 feet, more or less, to the end of this description.

Including the Southerly 30 feet of Hintze Avenue immediately adjacent to the above described property.

SCHEDULE "A"
Stan Galas - Sundial Lodge
Item 32 - 4/3/79 Agenda

MODESTO CITY COUNCIL
RESOLUTION NO. 79-303

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 24-3-9 OF THE ZONING MAP (MODESTO DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 19, 1979 , **in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 24-3-9 of the Zoning Map to prezone to P-D(218) to allow 2-story townhouse;denial of request to prezone to P-D to permit neighborhood shopping center and professional offices (appealed to Council); and denial of R-1 to P-D to permit professional offices and recommendation of R-3 instead, on property located on the west side of Claus Road north of Scenic Drive, the following described property:

SEE SCHEDULES "A", "B", AND "C"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No.s 79-69 and 79-70
79-68,/ **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 24-3-9 **of the Zoning Map be set for** May 8, 1979, at 7:30 p.m. **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that portion of Lots 16, 17 and 18 of Idaho Colony, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records, lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows;

COMMENCING at the East quarter corner of said Section 24; thence North 0°47' West, along the East line of said Section 24 and the present center line of Claus Road, 761.05 feet; thence South 89°21' West, along the South line of the North 8.0 acres of said Lot 16 a distance of 390.00 feet to the POINT OF BEGINNING of this description; thence South 0°47' East, 705.91 feet; thence South 89°13'00" West, 150.00 feet; thence South 0°47'00" East, 1011.96 feet to the center line of Scenic Drive; thence South 88°48'00" West, along said center line, 632.06 feet; thence North 0°47'00" West, along the West line of said Lot 18, a distance of 1388.33 feet to the North line of said Lot 18; thence North 81°17'00" East, along said North line 522.40 feet; thence North 0°48'30" West along the West line of said Lot 16 a distance of 262.64 feet to said South line of the North 8.0 acres of Lot 16; thence North 89°21'00" East, along said South line 264.76 feet to the point of beginning.

Containing: 23.852 acres

SCHEDULE "A"
Modesto Development
Prezone to P-D(218) to allow
2-story townhouse

Item 33 - 4/3/79 Agenda

All that portion of Lots 7, 16, and 17 of Idaho Colony, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows:

BEGINNING at the East quarter corner of said Section 24; thence South 0° 47' East, on the East line of said Section 24 and centerline of Claus Road, 838.65 feet to the intersection with the centerline of Scenic Drive; thence South 89° 13' 00" West, on said centerline, 20.00 feet to the beginning of a curve concave to the South, having a radius of 145.10 feet and a central angle of 18° 23' 00"; thence Southwesterly on the arc of said curve a distance of 46.56 feet; thence South 70° 50' West, 245.91 feet to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet and a central angle of 17° 57' 30"; thence Southwesterly on the arc of said curve a distance of 109.70 feet; thence North 1° 12' 30" West, 5.00 feet; thence South 88° 48' West along said centerline, 137.80 feet; thence leaving said centerline North 0° 47' West, 1011.96 feet; thence North 89° 13' 00" East, 150.00 feet; thence North 0° 47' West, 505.91 feet; thence North 89° 21' East; 390.00 feet to said East line of Section 24 and the centerline of Claus Road; thence South 0° 47' East, along said Section line and centerline of Claus Road 561.05 feet to the point of beginning.

Containing 16.487 acres.

SCHEDULE "B"
Modesto Development
Deny Prezone to P-D for shopping center/professional offices
Item 33 - 4/3/79 Agenda

ALL that portion of Lots 16 and 17 of IDAHO COLONY, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records, lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows:

COMMENCING at the East quarter corner of said Section 24; thence North 0°47' West, along the East line of said Section 24 and the present center line of Claus Road,561.05 feet to the POINT OF BEGINNING of this description; thence leaving said center line South 89°21' West, 390.00 feet; thence North 0°47' West, 200.00 feet to the South line of the North 8.0 acres of said Lot 16; thence North 89°21' East along said South line, 390.00 feet to said East line of Section 24 and center line of Claus Road; thence South 0°47' East, along said section line and center line of Claus Road 200.00 feet to the point of beginning.

Containing 1.79 Acres.

SCHEDULE "C"
Modesto Development
Deny R-1 to P-D for professional Offices and Rec. R-3.
Item 33 - 4/3/79 Agenda

MODESTO CITY COUNCIL
RESOLUTION NO. 79-304

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AMENDMENT TO P-D(45) (MODESTO RACQUET CLUB)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that April 24, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an amendment to P-D(45) to clarify use of facilities, amend hours of operation, and provide for the monitoring of evening hours of operation of the Modesto Racquet Club.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-305

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BANK OF AMERICA GRANTING THE CITY THE RIGHT TO PURCHASE PROPERTY SOUTH OF OUR PARKING LOT #28 ON THE WEST SIDE OF 11TH STREET BETWEEN I AND J STREETS FOR CONSTRUCTION OF A PUBLIC PARKING GARAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bank of America granting the City the right to purchase property south of our parking lot #28 on the west side of 11th Street between I and J Streets for construction of a public parking garage **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-306

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO BASEBALL CLUB FOR THE USE OF DEL WEBB FIELD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Baseball Club, Inc. for use of Del Webb Field for a period of one year commencing January 1, 1979, and ending December 31, 1979, and continuing thereafter on a year-to-year basis until terminated by either party, be and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-307

A RESOLUTION APPROVING THE CITIZENS PARTICIPATION PLAN AS REQUIRED BY HUD

WHEREAS, HUD regulations require cities participating in the Community Development Block Grant program to have such a plan and to include and describe certain policies and procedures as enumerated by HUD, and

WHEREAS, a Citizens Participation Plan, copy attached, was presented to the City Council.

NOW THEREFORE, BE IT RESOLVED the City Council of the City of Modesto does hereby approve the Citizens Participation Plan as required by HUD.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

COMMITTEE AND SUBCOMMITTEE TITLES AND ROLES

Following are the committee and subcommittee titles, roles, and general provisions:

Title: Citizens Housing and Community Development Committee

Role: To provide overall review and make recommendations to the City Council regarding the city's Community Development Block Grant program and its projects; to review the annual Community Development Block Grant application, including the Housing Assistance Plan; to monitor and evaluate the entire program and subcommittee effectiveness; to involve citizens in the program; and to formulate and transmit recommendations regarding policy matters to the City Council.

Title: Housing Maintenance and Counseling Subcommittee

Role: To develop the Housing Maintenance Program, including administrative procedures and policies; to develop a relocation program; to develop a counseling program; to develop other supportive and subprograms as deemed appropriate; to monitor and evaluate these housing maintenance and counseling efforts; to involve citizens in the program; and to formulate and transmit recommendations regarding policy matters to the Citizens Housing and Community Development Committee.

Title: Rehabilitation Loan Pool Subcommittee

Role: To develop a rehabilitation loan pool, especially the administrative procedures and policies for loan funds, eligibility, and extent of governmental and private sector commitment of funds; to monitor and evaluate these rehabilitation loan pool efforts; to refine policy and procedural matters as necessary from time to time; to involve citizens in the program; and to formulate and transmit recommendations regarding policy matters to the Citizens Housing and Community Development Committee.

COMMITTEE AND SUBCOMMITTEE TERMS

The Committee and Subcommittee terms of office shall be as follows:

1. There shall be a two term maximum for any person.
2. Full terms shall be for four years.
3. A partial term of two or more years shall be considered a full term.

CITIZENS PARTICIPATION

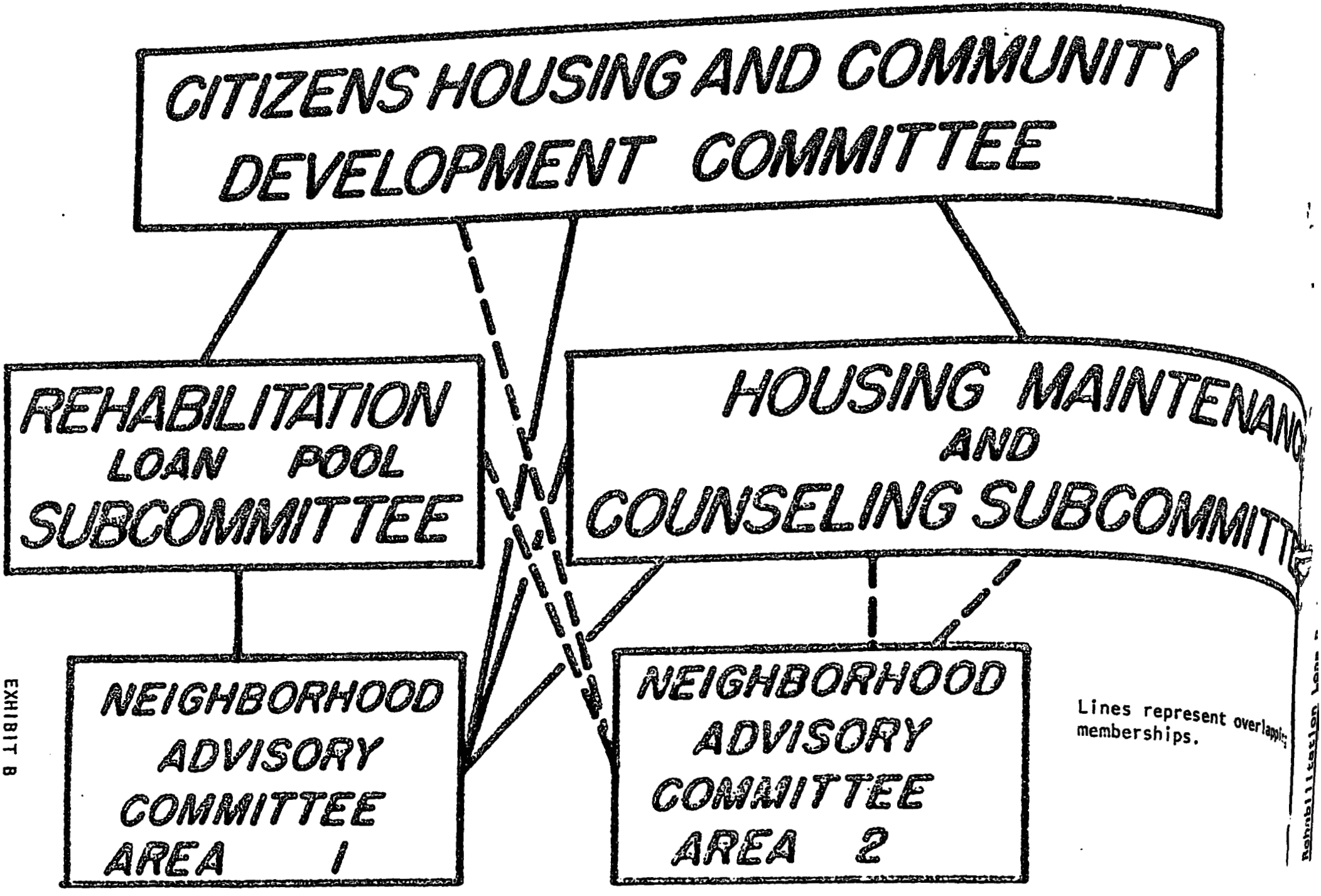


EXHIBIT B

Rehabilitation Loan Pool Subcommittee	Incumbent
Seat No. 1 - City Council Member	Peggy Mensinger
Seat No. 2 - Human Rights Commissioner or Citizen at Large	Marie Coe, Chairperson
Seat No. 3 - Representative of Financial Institution	Glen Robison
Seat No. 4 - User of Program (NAC #2)	Frank Salas, Jr.
Seat No. 5 - Representative of Financial Institution	Chevo Ramirez
Seat No. 6 - Provider of Shelter or Service	Bessie Bresciani
Seat No. 7 - User of Program (NAC #1)	Doug Oliver

Citizens Housing and Community Development Committee	Incumbent
Seat No. 1 - City Council Member	Harry Kullijian, Chairperson
Seat No. 2 - Chairperson of Neighborhood Advisory Committee #2	Dick Loughmiller
Seat No. 3 - Board of Supervisors Member	William Ulm
Seat No. 4 - Planning Commissioner	Laurence B. Martin, Sr.
Seat No. 5 - Human Rights Commissioner or Citizen at Large	Walter Bregman
Seat No. 6 - Citizen at Large	Ray Ewing
Seat No. 7 - Chairperson of Neighborhood Advisory Committee #1	Don Bernard
Seat No. 8 - Chairperson of Housing Maintenance and Counseling Subcommittee	Richard Lang
Seat No. 9 - Chairperson of the Rehabilitation Loan Pool Subcommittee	Marie Coe

Housing Maintenance and Counseling Subcommittee	
Seat No. 1 - City Council Member	Richard Lang, Chairperson
Seat No. 2 - Planning Commissioner	Fleeta Raines
Seat No. 3 - Human Rights Commissioner or Citizen at Large	Dennis Wilson
Seat No. 4 - Provider of Shelter	Walt Thompson
Seat No. 5 - Provider of Services	Bart Bennett
Seat No. 6 - User of Program (NAC #2)	Joseph Byrne
Seat No. 7 - User of Program (Owner/occupant of assisted housing unit) (NAC #1)	Don Bernard

EXHIBIT A

PUBLIC NOTICE

There will be a public hearing held at 12:00 noon, Friday, November 3, 1978 at Room 310, 3rd Floor, Beaty Building, 1024 J Street, Modesto. The hearing will be conducted in conjunction with a meeting of the Citizens Housing and Community Development Committee. Interested citizens will be provided an opportunity to submit views and proposals for activities to be carried out under the Community Development Block Grant program for the period July 1, 1979 to June 30, 1982. In addition, interested citizens are invited to submit comments on the City's performance to date under the Community Development Block Grant program.

NOTICIA PUBLICA

Habr'a una audiencia publica que se llevar'a acabo a las 12:00 P.M., (mediodia), veirnes, el dia 3 de noviembre, 1978 en el cuarto 310, tercer piso del edificio Beaty, 1024 Calle J, Modesto. La audiencia publica se conducir'a en conjunci'on con la junta de comite de Vivienda y Desarrolo de la Comunidad. Personas interesadas se le dar'a la oportunidad de expresar opiniones proposici'ones para las actividades que se llevaran a cabo bajo el programa federal para el Desarrollo de la Comunidad. Ademas, personas interesadas estan invitadas a someter comentarios del desempe'no de la cuidad esta hora bajo el programa federal para el Desarrollo de la Comunidad.

APPENDIX

Exhibit A - Composition and present structure of committees

Exhibit B - Interrelationships of committees

Exhibit C - Committee titles, roles and general provisions

sideration at the next meeting of the appropriate committee or subcommittee. Should the appropriate committee not be scheduled to meet within the next 60 days, a special meeting will be called to consider the unresolved complaint. The 60 day provision will also apply to appeals to the Citizens Housing and Community Development Committee.

V. TECHNICAL ASSISTANCE

Technical assistance is available to all committees and subcommittees and is furnished primarily by Housing Program Office staff. Other citizens organizations needing assistance should petition the Housing Program Office and receive approval by the Citizens Housing and Community Development Committee or the City Council, as appropriate.

VI. ADEQUATE INFORMATION

Information regarding amounts of Community Development Block Grant funds, range of activities eligible and previously funded, processes to be followed in drafting and approving the Community Development Block Grant application, the schedule of meetings, the role of citizens and the summary of other important program requirements will be made available at all committee meetings and public hearings and is also available through the Housing Program Office. Reasonable requests for all regulations, documents, etc. pertaining to the Community Development Block Grant program, including the Citizens Participation Plan, should be presented to the Housing Program Office and will be honored.

VII. PUBLIC HEARINGS

In accordance with HUD regulations (570.303(j)), public hearings will be held for the purposes outlined above in Part III. Notices of such hearings will be published in the non-legal section of the local newspaper at least 10 days prior to such hearings. Bilingual notice, access to handicapped persons, publicity, etc. enumerated by HUD regulations are hereby adopted, incorporated by reference and will be followed with respect to such hearings. Such notices will explain the purposes of the hearings, information to be made available, etc. as mentioned above. A prototype copy of such notices follows:

public hearings are held to discuss and assess past performance of the program and to solicit views and proposals for future program activity. Comments and suggestions can be submitted during or prior to the public hearings and can be submitted to any of the committees as appropriate. Proposals of a specific nature should be presented in writing for forwarding to the appropriate committee or person and should be delivered to the Housing Program Office for proper dissemination. All such written proposals will receive a written response which response shall be timely insofar as the scheduled meeting date of the appropriate committee and the final hearing on the application. Prior to development of the draft application, a meeting of the Citizens Housing and Community Development Committee will be held, which meeting shall also be a public hearing. A report will be furnished by staff outlining the City's performance during the preceeding year. Also, comments and suggestions regarding both past and future activities will be solicited and considered. An additional meeting of the Citizens Housing and Community Development Committee will be held after the application is complete but prior to its submission to the City Council for final approval. The City Council will consider and approve the application by March 1st of each year prior to its submission to the State and local agencies pursuant to the A-95 review process. Consideration of the application for final approval by the City Council will be subsequent to an additional public hearing and will occur after careful consideration of comments made at such public hearing.

Should it become necessary or advisable to amend or otherwise substantially alter the Community Development Block Grant application, such amendment will be cleared through the appropriate subcommittee and then by the Citizens Housing and Community Development Committee for forwarding to the City Council. The City Council will then hold a public hearing after which it will act on the proposed amendment.

IV. COMPLAINTS

The procedure for responding to complaints follows along the lines of the abovementioned proposal submission procedure. Complaints are to be in writing with as much detail as possible and are to be presented to the Housing Program Office for forwarding to the appropriate committee. Complaints will usually be considered first by committees other than the Citizens Housing and Community Development Committee. If the complaint cannot be resolved at the initial committee level, it will go to the Citizens Housing and Community Development Committee for consideration and hopeful resolution. Should the complaint not be satisfactorily resolved at the Citizens Housing and Community Development Committee, the complaintant shall have the right to appeal to the City Council. Action by the City Council shall be deemed final, subject, of course, to any legal rights beyond the scope of this plan. Complaints submitted in accordance with this procedure will receive a written response from staff within 15 working days after receipt. If the complaint remains unsatisfied, it will receive con-

CITIZENS PARTICIPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

CITY OF MODESTO

August 1, 1978
Revised March 13, 1979

I. STANDARDS OF PARTICIPATION

The Citizens Participation Plan is centered around the elaborate committee structure which provides input from various factions of the community, includes target area people and influence at all levels, in an organized framework designed to link neighborhood citizens, community-wide interests and elected City officials in all decision-making processes. (See exhibits A & B.)

II. INFORMATION

Agendas to all meetings of all committees and subcommittees are mailed in advance to the members of all committees and subcommittees and to a mailing list comprised of individuals and organizations expressing interest in program activities, and serve as notice of forthcoming meetings. Items of discussion are listed in order that parties having an interest are apprised and can provide input. The local newspaper receives advance notice and, on occasion, publishes a news article referring to it. Minutes of all meetings are mailed to members of all committees and subcommittees, various appointed and all elected city officials. Additional copies of minutes are available at the Housing Program Office. Where a decision of some import has been made, a news article frequently results. Since decisions having a significant effect upon the program usually work their way up through the committee structure (from either the Housing Maintenance and Counseling Subcommittee, Rehabilitation Loan Pool Subcommittee or one of the Neighborhood Advisory Committees) to the Citizens Housing and Community Development Committee, and then to the City Council for final approval, parties having a particular interest, either pro or con, can furnish their views at one or more levels in the process.

III. DEVELOPMENT OF COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION INCLUDING THE HOUSING ASSISTANCE PLAN

The application which lists all planned activities and details the Housing Assistance Plan is distributed to the various committees as input is sought, especially as regards the particular interest/role of the respective committees. Distribution and subsequent input is made from preliminary draft stage to final application. In addition to involvement by the various committees and their committeemembers (acting as individuals),

MODESTO CITY COUNCIL
RESOLUTION NO. 79-308

A RESOLUTION APPOINTING DALE KUYKENDALL AS YOUTH COMMISSION REPRESENTATIVE TO THE HUMAN RIGHTS COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Human Rights Commission for the respective term as indicated:

Dale Kuykendall
330 Alturas
Modesto, California

Term to expire 12/1/79

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Human Rights Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-309

A RESOLUTION REAPPOINTING MEMBER OF THE CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE - WILLIAM ULM

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby reappointed to the Citizens Housing and Community Development Committee for the respective term as indicated:

William Ulm
5500 Maze Boulevard
Modesto, Ca. 95351

Term to expire 6/30/82

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly reappointed member of the Citizens Housing and Community Development Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-310

A RESOLUTION AMENDING MODESTO CITY COUNCIL RESOLUTION NO. 76-476 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(141)"

WHEREAS, on March 22, 1976, the City Council approved an amendment to Section 15-3-9 of the Zoning Map prezoning certain property therein to Planned Development Zone, P-PD(141), and

WHEREAS. the Development Plan for P-PD(141) which permits construction of a neighborhood shopping center with only those uses permitted within the C-1 Zone and an off-street parking area at the southwest corner of Oakdale Road and Floyd Avenue was approved by the City Council of March 22, 1976, by Resolution No. 76-476, and

WHEREAS, the City Council has been requested to amend Condition No. 13 of said Resolution No. 76-476 to allow for the public improvements in P-PD(141) to be completed within thirty (30) days following the completion of a waterline project by the City of Modesto which requires extension of a 10-inch water main north on Oakdale Road and west on Floyd Avenue across the frontage of P-PD(141), with the developer of P-PD(141) posting a cash bond with the City to guarantee that the public improvements will be completed within thirty (30) days following the completion of City's waterline project, said bond to be filed by April 15, 1979, and

WHEREAS, said amendment to Condition No. 13 has been considered by the Planning Commission at its meeting held on April 2, 1979, at which time the Commission, by motion, recommended to the Council that said request referred to above be granted, and

WHEREAS, the Council considered the request to amend Condition No. 13 of Resolution No. 76-476, which approved a development plan for P-PD(141), at its meeting held on April 3, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and it finds and determines said request should be granted,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds and determines that an amendment to Condition No. 13 of Prezoned Planned-Development Zone, P-PD(141), as requested, and as recommended by the Planning Commission, is required by public necessity, convenience and general welfare, in order that installation by the City of Modesto of a 10 inch water main across both the Oakdale Road and Floyd Avenue frontages of P-PD(141), can be accomplished prior to completion of the public improvements by the developer of said Planned Development.

BE IT FURTHER RESOLVED that Section 1 of Resolution No. 76-476 is hereby amended to amend Condition No. 13 thereof to read as follows:

> 13. That the required public street improvements shall be installed within thirty (30) days following the completion of a water main to be constructed by City across the Oakdale Road and Floyd Avenue frontages of the property. The developer shall post cash bond with City to guarantee that the public improvements will be completed within thirty (30) days following notification by City that said public improvements have been completed. Said bond shall be in an amount estimated by the Director of Public Works to cover the cost of said public improvements and shall be filed by April 15, 1979.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 76-476 approved by the City Council on March 22, 1976, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-311

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF EUSEBIO RAMIREZ AS A MEMBER OF THE H.C.D.A. REHABILITATION LOAN POOL SUBCOMMITTEE

WHEREAS, Eusebio Ramirez was appointed as a member of the H.C.D.A. Rehabilitation Loan Pool Subcommittee on January 17, 1977; and

WHEREAS, Eusebio Ramirez has tendered his resignation as a member of the H.C.D.A. Rehabilitation Loan Pool Subcommittee, effective April 10, 1979; and

WHEREAS, Eusebio Ramirez has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Eusebio Ramirez as a member of the H.C.D.A. Rehabilitation Loan Pool Subcommittee is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Eusebio Ramirez for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-312

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION AT FLOYD AND OAKDALE ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension at Floyd and Oakdale Roads copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 11:00 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-313

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR WATERLINE EXTENSIONS IN STANDIFORD AVENUE FOR THE VINEYARD SUBDIVISION AND IN WOODLAND AVENUE FOR SHASTA ESTATES SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for waterline extensions in Standiford Avenue for the Vineyard Subdivision and in Woodland Avenue for Shasta Estates Subdivision copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-314

A RESOLUTION ACCEPTING THE CONSTRUCTION OF H.C.D.A. REMOVAL OF ARCHITECTURAL BARRIERS - PHASE II AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of H.C.D.A. removal of architectural barriers - Phase II has been completed by W. Gale Fisher, Inc.

in accordance with the contract agreement dated January 23, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of H.C.D.A. removal of architectural barriers - Phase II be accepted from said contractor, W. Gale Fisher, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $28,900 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-315

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR ITEMS 1d, TWO ½ TON STEPSIDE PICKUPS, AND 6a, A WALK-THROUGH VAN FOR PARKS DEPARTMENT

WHEREAS, Resolution No. 79-119, adopted by the Council of the City of Modesto on February 13, 1979, approved the plans and specifications for the purchase of automotive and heavy equipment and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of automotive and heavy equipment were opened at 2:00 p.m. on March 13, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, low bid for two ½ ton stepside pickups was offered by Maggini Chevrolet with six cylinder engines, which have been unavailable in pickups for the past few years because of California emission standards; and

WHEREAS, the City has no objection to six cylinder engines, and because other distributors carry this product, staff recommends this item be rebid; and

WHEREAS, a walk-through van was "no bid" by all firms with no explanation, and will require going out to bid again.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for Items 1d and 6a, automotive and heavy equipment, and opened in the office of the City Clerk at 2:00 p.m. on March 13, 1979, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-316

A RESOLUTION ACCEPTING THE BID OF MAGGINI CHEVROLET FOR ITEMS 1a, 1b, 2a, 3a, AND 5a ON AUTOMOTIVE AND HEAVY EQUIPMENT PURCHASE

WHEREAS, Resolution No. 79-119 **, adopted by the Council of the City of Modesto on** February 13, 1979 **, approved the plans and specifications for the** purchase of automotive and heavy equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of automotive and heavy equipment

were opened at 2:00 p.m. on March 13, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Maggini Chevrolet for one light utility pickup, one light utility utility pickup w/tool box, four detective sedans, two animal control cab and chassis, and one police van (Items 1a, 1b, 2a, 3a, 5a) for a total purchase price of $56,084.60 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Maggini Chevrolet for Items 1a, 1b, 2a, 3a, 5a for a total purchase price of $56,084.60 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-317

A RESOLUTION ACCEPTING THE BID OF G & W FORD FOR ITEM 1c, A LIGHT UTILITY PICKUP W/CAMPER SHELL ON AUTOMOTIVE AND HEAVY EQUIPMENT PURCHASE

WHEREAS, Resolution No. 79-119 **, adopted by the Council of the City of Modesto on** February 13, 1979 **, approved the plans and specifications for the** purchase of automotive and heavy equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of automotive and heavy equipment

were opened at 2:00 p.m. on March 13, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** G & W Ford for a light utility pickup w/camper shell for the total purchase price of $6,047.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of G & W Ford for a light utility pickup w/camper shall for the total purchase price of $6,047.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-318

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR ITEMS 4a, A 3/4 TON PICKUP, AND 7a, A UTILITY HYDRAULIC TRUCK ON AUTOMOTIVE AND HEAVY EQUIPMENT PURCHASE

WHEREAS, Resolution No. 79-119 **, adopted by the Council of the City of Modesto on** February 13, 1979 **, approved the plans and specifications for the** purchase of automotive and heavy equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of automotive and heavy equipment

were opened at 2:00 p.m. on March 13, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Dow Hammond for Items 4a, a 3/4 ton pickup, and 7a, a utility hydraulic truck for the total purchase price of $21,597.62 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond for Items 4a, a 3/4 ton pickup and 7a, a utility hydraulic truck for the total purchase price of $21,597.62 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-319

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH THE FIELDINGS COMPANY FOR THE PURCHASE OF THREE TRAFFIC COUNTERS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the purchase of three traffic counters is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with the Fieldings Company for the purchase of three traffic counters for a total price of $3,784.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-320

A RESOLUTION APPROVING INCREASE IN THE AMOUNT OF PURCHASE ORDER #91928 FOR STATE PERFORMED SERVICES ON THE OAKDALE ROAD PROJECT FROM $3,000 TO $8,000 AND WAIVING FORMAL BIDS

WHEREAS, Purchase Order #91928 was issued to the State Department of Transportation to perform Labor Compliance and E.E.O. Services, Hot Plant inspection and testing, and tagging of materials in conjunction with our Oakdale Road - Scenic to Briggsmore project; and

WHEREAS, due to the magnitude of this project and the amount of tests required, the cost has subsequently been greater than the $3,000 allowed for by the purchase order; and

WHEREAS, the Director of Public Works recommends approval of a revised purchase order to increase the original purchase order by $5,000 to a total estimated cost of $8,000, and waiver of formal bids.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto that an increase in the amount of purchase order #91928 for State performed services on the Oakdale Road project from $3,000 to $8,000 and the waiver of formal bids is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-321

A RESOLUTION DENYING THE APPEAL FILED BY RALPH MORGAN & ASSOCIATES ON BEHALF OF GARY HALL FOR AN AMENDMENT TO SECTION 29-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, AND MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3, TO PROFESSIONAL OFFICE ZONE, P-O, PROPERTY LOCATED AT THE NORTHEAST CORNER OF NEEDHAM AND SYCAMORE AVENUES.

WHEREAS, a verified application for an amendment to Section 29-3-9 of the Zoning Map was filed by Gary Hall on December 15, 1978, to reclassify from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, property located at the northeast corner of Needham and Sycamore Avenues described as follows:

All that portion of Section 29 Township 3 South, Range 9 East described as follows:

R-1 to P-O

All of the Northerly 13.5 feet of Southerly 19.0 feet of Lot 13 in Block 534 in the City of Modesto, including the Easterly one-half of Sycamore Avenue immediately adjacent to the above described portion of said Lot 13.

R-3 to P-O

All of Lots 17, 16, 15, 14 and the Southerly 3.5 feet of Lot 13, all in Block 534 in the City of Modesto including the Easterly one-half of Sycamore Avenue immediately adjacent to said Lots 17, 16, 15, 14 and the Southerly 3.5 feet of Lot 13.

Including also all that portion of Needham Avenue situated between the centerline of Needham Avenue and the South line of the above described property,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of January 15, 1979, and continued to February 20, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said continued hearing on February 20, 1979, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-34, denied the requested amendment to Section 29-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, the property described above located at the northeast corner of Needham and Sycamore Avenues in the City of Modesto for the following reason:

> The office zoning would be an intrusion of a non-residential use into a residential area,

and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by a letter dated February 22, 1979, from Ralph Morgan & Associates, on behalf of Gary Hall, to the decision of the Planning Commission denying his application to reclassify from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, the property hereinabove described, located at the northeast corner of Needham and Sycamore Avenues, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on Tuesday, April 10, 1979, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Ralph Morgan & Associates on behalf of Gary Hall to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, the property hereinabove described located at the northeast corner of Needham and Sycamore Avenues in the City of Modesto should be denied for the reason set forth in Planning Commission Resolution No. 79-34, and quoted above, and that the

decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Ralph Morgan & Associates, on behalf of Gary Hall, to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-34 denying rezoning from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, the above described property, located at the northeast corner of Needham and Sycamore Avenues be denied, for the reason set forth in Planning Commission Resolution No. 79-34, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Siefkin, Mayor Mensinger
NOES: Councilmembers: Muratore
ABSENT: Councilmembers: Lang
(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Approved as to form: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Approved as to description: William D. Rubado
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-322

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR THE DEL WEBB PARK EXPANSION (MARION T. MERRELL, ET UX).

(Name of Project and Property Owners Name)

WHEREAS, on March 13, 1979, the Council of the City of Modesto by Resolution No. 79-201 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on April 10, 1979, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the expansion of Del Webb Park, including the construction of a soccerfield.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized pursuant to Sections 37350.5, 37351, 38300, and 40404 of the Government Code, by Section 1240.510 of the Code of Civil Procedure, and by Sections 5301, 5302, and 5303 of the Public Resources Code of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The real property which is hereinafter described consists of .73 acres, more or less, including two single-family residences, located at 511 and 513 Sunset Avenue in the County of Stanislaus, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and adjacent to the City of Modesto, State of California, more particularly described as follows:

Lot 63 of FIRST ADDITION TO SUNSET ACRES, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on March 18, 1911 in Volume 5 of Maps, at page 27.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-323

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (217).

WHEREAS, a verified application for an amendment to Section 20-3-9 of the Zoning Map was filed by National Medical Development on January 17, 1979, to reclassify from Medium Density Residential Zone, R-2, and Professional Office Zone, P-O, to Planned Development Zone, P-D (217), the following described property:

R-2 to P-D

All that portion of Lot 1 and 4 of the Mensinger Colony situated in Section 20, Township 3 South, Range 9 East, of the Mount Diablo Base and Meridian, according to the map of Mensinger Colony filed in Volume 4 of Maps, at Page 25 in the Stanislaus County Records described as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue and the true point of beginning; thence southerly along the West line of said Lot 1 also being the centerline of Florida Avenue 275.7 feet to a point; thence Easterly along a line that is parallel with the centerline of Granger Avenue 233.9 feet to a point; thence northerly along a line that is parallel with said centerline of Florida Avenue 275.7 feet to the point of intersection with the centerline of Granger Avenue; thence Westerly 233.9 feet along the centerline of said Granger Avenue to the point of beginning.

P-O to P-D

All that portion of said Lots 1 and 4 of Mensinger Colony described as follows:

Beginning at the Northwest corner of said Lot 1 also being the point of intersection of the centerline of Granger Avenue with the centerline of Florida Avenue; thence Southerly along the west of said lot 1 being the centerline of Florida Avenue 275.7 feet to the true point of beginning; thence continuing Southerly along the West line of said Lot 1 and Lot 4 being the centerline of Florida Avenue 63.88 feet to a point: thence Easterly along a line parallel with the centerline of Granger Avenue 200.00 feet to a point; thence Northerly along a line parallel with the centerline of Florida Avenue 63.88 feet to a point; thence along a line that is parallel with the centerline of said Granger Avenue 200.00 feet to the point of beginning.

WHEREAS, after public hearing held on February 26, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone will be consistent with a compatible transition between the commercial uses to the east and northeast, the Doctors Hospital and offices to the south and southwest, and the single-family homes to the northwest.

2. The proposed office development conforms to the zoning guide for the Doctors Hospital Area adopted by the Council in 1978.

3. The basement for which no parking is provided, will be used only for storage of files including medical records.

WHEREAS, after a public hearing held on April 10, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of National Medical Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1820-C.S. on the 10th day of April, 1979, reclassifying the above-described property from Medium Density Residential Zone, R-2, and Professional Office Zone, P-O, to Planned-Development Zone, P-D (217).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (217), is hereby approved in accordance with the plan titled "Site Plan - Medical Office Building, Modesto, California", as amended in red on its face, stamped approved by the Planning Commission on February 26, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plot plan titled "Site Plan - Medical Office Building, Modesto, California" as amended in red on its face, stamped approved by the Planning Commission on February 26, 1979 and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to the issuance of a building permit the developer shall dedicate to the City of Modesto a street tree planting easement along the Florida frontage in accordance with the requirements of the Director of Parks and Recreation.

5. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontage with the number of trees to be determined by the Director of Public Works.

6. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this resolution of approval has been issued and that it contains conditions affecting the use of the above-described property. (Copies of the approved form are available at the Modesto Planning and Community Development Department.)

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

8. That all signs shall comply with the sign requirements of the P-O Zone.

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans and dedications shall be made prior to occupancy of the premises as required by the Director of Public Works, or by February 26, 1981, whichever occurs first. Public improvements shall include but not be limited to installation of a new street light and sidewalk on Florida Avenue, removing unused driveway approaches and replacing with new concrete curb, gutter and sidewalk, removing displaced concrete, repairing and/or replacing of drain inlets.

12. That prior to the issuance of a building permit the applicant shall dedicate a 15 foot radius corner cut-off at the southeast corner of Florida Avenue and Granger Avenue.

13. That prior to the issuance of a building permit, the applicant shall, in a form satisfactory to the City Attorney, execute a restrictive covenant running with the land to insure that the basement area shall be used only for the storage of medical records and that no part of the basement area shall be used for any other purposes including, but not limited to, clerical or office space.

14. That the basement area shall be completed only to the extent necessary, as determined by the Chief Building Official, to allow said basement area to be used for the storage of medical records.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (217):

That the entire construction program be accomplished in one phase, construction to begin on or before May 1, 1980, and completion to be not later than May 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (217) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-324

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (NATIONAL MEDICAL DEVELOPMENT)

WHEREAS, on April 10, 1979, the City Council introduced Ordinance No. 1820-C. S. giving approval to a project relating to an amendment to Section 20-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Medium Density Residential Zone, R-2, and Professional Office Zone, P-O, to Planned Development Zone, P-D(217), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 20-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Medium Density Residential Zone, R-2, and Professional Office Zone, P-O, to Planned Development Zone, P-D(217).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

PROJECT NO. 77/02/12 - 79/01/03

MODESTO CITY COUNCIL
RESOLUTION NO. 79-325

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council, did, on March 20, 1979, adopt its Resolution No. 79-233, ordering the installation of certain improvements along certain streets in the City of Modesto, as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, the Council did by said resolution, set the 10th day of April, 1979, at 7:30 o'clock P.M., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notices to be given as directed by said Resolution No. 79-233, and

WHEREAS, at the time set for hearing the protests and objections, if any, to the propsed work, the said Council proceeded to hear the same,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Resolution No. 79-233 and Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Edwin C. and Peggy A. Cline

ADDRESS 7105 Naomi Court, Modesto, CA 95357

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at Northwest corner of Lot 5 of Fresno Tract as per map filed March 14, 1903 in Volume 1 of Maps, Page 76, Stanislaus County Records; thence East 30 feet, thence South 143.02 feet to the true point of beginning; thence East 366.71 feet; thence South 17.53 feet; thence West 368.03 feet; thence North 123.02 feet to the true point of beginning.

(Stanislaus County Assessor's Parcel No. 002-07 090-1612-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

123.02 linear feet of 6" vertical curb and 4' wide concrete sidewalk along the street frontage abutting Bremmer Avenue on the West side of Block 501, all said improvements to be in accordance with the City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 19th day of April, 1979 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Donald and Micheline S. Montez

ADDRESS 2804 Eastridge Circle, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West [illegible] feet of Lot 5 and 8 of Block 513 of City of Modesto as per map filed December 21, 1892 in Volume [illegible] of Maps, Page 513, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 109-9518-901)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

76.5 lineal feet of 6" vertical curb along the street frontage abutting Wright Street on the South side of Block 513 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 19 79 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Shirley J. Prescott

ADDRESS 310 Sierra Drive, Modesto, [illegible]

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. [illegible] feet of Lots 1 and 2 of Block 327 of the City of Modesto [illegible] filed December 21, [illegible] in Volume 15 of Maps, Page 32?, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0833-002)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

60 lineal feet of 6" vertical curb along the street frontage abutting Sierra Drive on the North side of Block 327 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 20th day of April, 1970, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 31st day of March, 1970.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Richard S. and Clarene L. Ciccarelli

ADDRESS 719 Ciccarelli Road, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion lying between the South block line of block 1340 of Modesto Jungle Tract as per map filed September 21, 1971 in Volume [illegible] of Maps, Page 47, Stanislaus County Records; and

The West line of Prescott Road; and the Northerly line of W. Rumble Road as shown on a plat of survey as per map filed December 5, 1969 in Volume 11 of records of surveys, page 124, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 001-031-005-5861-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

489.71 linear feet of 6" concrete curb and 5' wide concrete sidewalk along the street frontage of Rumble Road on the South side of Block 1340; and, 1 linear foot of 6" vertical curb and 5' wide concrete sidewalk along the street frontage abutting corner radius on the East side of the [illegible], all of said improvements to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 17th day of April, 19 79 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 19 79.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Victor M. Brown

ADDRESS 1524 Lorry Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The West [illegible] feet of Lots 1 and [illegible] of Block 427 of the City of Modesto, as per map filed December 31, 1942 in Volume 15 of Maps, Page 4, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-[illegible]-032-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

65.06 lineal feet of 6" concrete curb along the street frontage abutting Lorry Drive on the North side of Block 427 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the [illegible] day of April, 1970, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the [illegible] day of March, 19 70.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Maud Webb Thomas Estate, c/o Eva Merritt

ADDRESS 311 Pine Street, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 21 of Block 17 of City of Modesto as per map filed December 21, 1942 in Volume 19 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-1910-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

25 linear feet of 6" vertical curb along the street frontage abutting 4th Street on the West side of Block 17 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Horace and Vivian Kennedy

ADDRESS 404 "J" Street, Modesto, CA 95351

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 32, 31, 30 and the Northwest 15 Feet of Lot 29 of Block 17 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 17, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01-104-1915-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

90 lineal feet of 6" vertical curb along the street frontage abutting 4th Street on the West side of Block 17 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE

NOTICE IS HEREBY GIVEN:

NAME Clarence E. and Barbara Wright

ADDRESS 2701 Brenner Way, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 7255 of Highway Villare as per map filed April 25, 1947 in Volume 16 of Maps, Page 41, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-06 005-4401-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

173.65 lineal feet of 4 1/2" drive over curb and 4' wide concrete sidewalk along the street frontage abutting Brenner Way on the South side of Block 7255 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Michael P. Abernathy

ADDRESS 928 Hackberry Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 75 feet of the South 150 feet of the East 80.07 feet of Lot 33 and the North 75 feet of the South 150 feet of the West 48.92 feet of Lot 32 of North Central Tract as per map filed September 24, 1919 in Volume 9 of Maps, Page 18, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 113-0818-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

75 lineal feet of 4' wide concrete sidewalk along the street frontage abutting Hackberry Avenue on the West side of Block 719 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979 in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Shirley E. Merenda

ADDRESS 916 Hackberry Avenue, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 50.11 feet of Lot 14 and the North 49.89 feet of Lot 13 of Block 712 of Original Town of Modesto.

(Stanislaus County Assessor's Parcel No. 002-01 113-0821-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

61 lineal feet of 4' wide concrete sidewalk along the street frontage abutting Hackberry Avenue on the West side of Block 712 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 18th day of April, 1972, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 13th day of March, 1972.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Vincenzo Merenda, c/o Gaetana Ferrara

ADDRESS 1825 Lancy Avenue, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 197.72 feet of the North 944.87 feet of the East 247.5 feet of the West 495 feet of the Southwest 1/4 Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 067-0665-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

197.72 lineal feet of 5' wide concrete sidewalk along the street frontage abutting Oakdale Road on the West side of Block 1421 of the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Joseph S. and Gaetana Merenda

ADDRESS 1052 Oakdale Road, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 135 feet of the North 747.15 feet of the East 247.5 feet of the West 299 feet of the Southwest 1/4 Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 067-0664-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

40 lineal feet of 5' wide concrete sidewalk along the street frontage abutting Oakdale Road on the West side of Block 1421 of the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME James Merenda

ADDRESS 1024 Oakdale Road, Modesto, CA 95355

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The South 157 feet of the North 1,101.87 feet of the East 247.5 feet of the West 330 feet of the Southwest 1/4 of section 23, township 3 South, Range 9 East, Mount Diablo Base and Meridian.

(Stanislaus County Assessor's Parcel No. 002-01 067-0666-001)

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

157 lineal feet of 5' wide concrete sidewalk along the street frontage abutting Oakdale Road on the West side of Block 1421 of the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN:

NAME Billie O. Freese

ADDRESS 3005 Salem Court, Modesto, CA 95350

OWNER OF RECORD OF PROPERTY DESCRIBED AS FOLLOWS:

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the Southwest corner Section 7, township 3 South, Range 9 East, Mount Diablo Base and Meridian; thence North 82.51 feet, more or less, to the true point of beginning; thence North 979.12 feet; thence East 566.05 feet; thence South 797.05 feet; thence West [illegible] feet; thence North 743.56 feet; thence West 243.88 feet; thence South 525.24 feet; thence West 20 feet to the point of beginning.

The Superintendent of Streets of the City of Modesto has been instructed by the City Council of the City of Modesto to notify you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used, to be as specified below:

393 lineal feet of 6" vertical curb and 5' wide concrete sidewalk along the street frontage abutting W. Rumble Road on the Northeast side of Block 15517 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons at 7:30 p.m. on the 10th day of April, 1979, in the City Council Chamber, located in the City Hall at 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 21st day of March, 1979.

Ross Campbell

ROSS CAMPBELL
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-326

A RESOLUTION GRANTING THE APPEAL OF MOORAD & CLARK FILED ON BEHALF OF SAM RANDY AND JOE RANDY FOR A TIME EXTENSION FOR PLANNED DEVELOPMENT ZONE, PD(141); AMENDING MODESTO CITY COUNCIL RESOLUTION NO. 76-476 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(141)" TO AMEND CONDITION NO. 13 OF SECTION 1 ENTITLED "DEVELOPMENT PLAN" AND TO AMEND PHASE I OF SECTION 2 ENTITLED "DEVELOPMENT SCHEDULE"; AND OVERRULING THE DECISION OF THE PLANNING COMMISSION DENYING THE REQUEST OF THE MODESTO DEVELOPMENT COMPANY FOR A ONE YEAR EXTENSION OF TIME FOR THE COMMENCEMENT OF CONSTRUCTION OF PD(141).

WHEREAS, on March 22, 1976, by Ordinance No. 1505-C. S., the City Council approved an amendment to Section 15-3-9 of the Zoning Map prezoning certain property located therein to Prezoned Planned Development Zone, P-PD(141), and

WHEREAS, Prezoned Planned Development Zone, P-PD(141) was annexed to the City of Modesto on August 3, 1978, and became Planned Development Zone P-D(141), and

WHEREAS, the Development Plan for PD(141) which permits construction of a neighborhood shopping center with only those uses permitted within the C-1 Zone and an off-street parking area at the southwest corner of Oakdale Road and Floyd Avenue was approved by the City Council on March 22, 1976, by Resolution No. 76-476, and

WHEREAS, City Council Resolution No. 76-476 referred to above also specifies that construction is to be accomplished in three phases, with Phase I to include construction of a supermarket and additional shops, to be commenced on or before April 15, 1979, and completion of Phase I to be by April 15, 1980, and

WHEREAS, the Modesto City Planning Commission received a letter from Modesto Development Company requesting a one-year time extension for the commencement of PD(141), and

WHEREAS, in accordance with the City's adopted Neighborhood Shopping Center Police, a public hearing was held on February 5, 1979, by the Planning Commission in the City Council Chambers, City Hall, 801 11th Street, Modesto,

California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, by Resolution No. 79-28, adopted on February 5, 1979, the Planning Commission denied the request for a one-year time extension for the reasons set forth in said Resolution No. 79-28, a copy of which is on file in the Office of the Director of Planning and Community Development, and by this reference made a part hereof, and

WHEREAS, an appeal to the Planning Commission's denial of a one-year time extension for commencement of construction of PD(141) was filed by Morrad & Clark, on behalf of Sam Randy and Joe Randy, the developers of said property, by a letter dated February 8, 1979, addressed to the Modesto City Council and filed in the office of the City Clerk, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 7:30 o'clock p.m. on March 13, 1979, and

WHEREAS, said public hearing was continued to April 10, 1979, at the hour of 7:30 o'clock p.m., at the request of Moorad & Clark, on behalf of Sam Randy and Joe Randy, and

WHEREAS, the Council, after hearing evidence both oral and documentary, hereby finds and determines that the appeal filed by Moorad & Clark, on behalf of Sam Randy and Joe Randy, to the decision of the Planning Commission denying their request for a one-year time extension, should be granted and the decision of the Planning Commission overruled for the following reasons:

1. The applicant has indicated a commitment to proceed with this project by meeting the requirements called for in the original P-D approval, specifically:

    (a) Proceeding with installation of curb, gutter and sidewalk along the entire frontage of Oakdale Road and Floyd Avenue within sufficient time to complete said improvements by the April 15, 1979, deadline.

(b) Submission of building plans for the Phase I portion of development within sufficient time to obtain a building permit by the April 15, 1979, deadline.

(c) A full capability to install matching pavement on Oakdale and Floyd by the April 15, 1979, deadline, said improvement deferred at the request of the Director of Public Works to enable the City to install a water main in advance.

2. A one year's extension will provide the applicant more time within which to negotiate for tenants and not force the applicant to "spec" build structures based on submitted plans as noted above.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Moorad & Clark on behalf of Sam Randy and Joe Randy to the decision of the Planning Commission denying a one-year time extension for commencement of construction of PD(141) should be granted, and the decision of the Planning Commission overruled for the reasons hereinabove set forth.

BE IT FURTHER RESOLVED that Section 1 of Resolution No. 76-476 referred to herein is hereby amended to amend Condition No. 13 thereof to read as follows:

13. That the required public street improvements shall be installed and completed within thirty (30) days following notification by the City of Modesto of its completion of construction of a water main across the Oakdale Road and Floyd Avenue frontages of the property.

BE IT FURTHER RESOLVED that Section 2 of Resolution No. 76-476 referred to herein is hereby amended to amend Phase I thereof to read as follows:

Phase I, to contain the 28,000 square foot supermarket and 19,650 square feet of shops to be commenced prior to April 15, 1980, and be completed prior to April 15, 1981.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 76-476 approved by the City Council on March 22, 1976, shall remain in full force and effect.

BE IT FURTHER RESOLVED that Modesto City Council Resolution No. 79-310 adopted on April 3, 1979, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember

Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-327

A RESOLUTION APPROVING THE DISTRIBUTION OF FEDERAL FUNDS FOR SAFER OFF-SYSTEM ROADS PROGRAM (SOS)

WHEREAS, the California Department of Transportation notified the Stanislaus County Board of Supervisors that Stanislaus County has been apportioned Safer Off-System Road funds; and

WHEREAS, under the Safer Off-System Roads program funds are available for projects on roads that are not on any Federal Aid System in both incorporated and unincorporated areas; and

WHEREAS, Section 2530(c) of the Streets and Highways states "he distribution of funds among cities within each County and the County shall be determined by agreement between the County and a majority of the cities, which cities shall include a majority of the municipal population within the County."; and

WHEREAS, County has calculated a "fair share" distribution based on the same formula used by State to apportion Safer Off-System funds among counties; and

WHEREAS, "fair share: to Modesto is $44,011.

NOW, THEREFORE BE IT RESOLVED that the City of Modesto hereby approves the aforementioned "fair share" of the Safer Off-System funds.

BE IT FURTHER RESOLVED that the City of Modesto hereby approves of the distribution of the Safer Off-System Road funds by the County of Stanislaus at their meeting of March 20, 1979.

BE IT FURTHER RESOLVED that the City of Modesto claims its share of Safer Off-System Road funds in the amount of $44,011 to be expended on the City's Off-System streets.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the

resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-328

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA TO REPLACE TRAFFIC SIGNAL CONTROLLERS ON NEEDHAM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State of California to replace the traffic signal controllers on Needham Avenue.

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-329

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MUSED A. ZOKARI FOR THE SALE OF EXCESS IMPROVEMENTS LOCATED AT DEL WEBB PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mused A. Zokari for the sale of the house and garage at 519 S. Sunset Avenue, and the garage at 521 S. Sunset Avenue for $1.00

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-330

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TURLOCK IRRIGATION DISTRICT TO DISCHARGE STORM WATER INTO T.I.D. LATER NO. 1 FROM A CITY SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Turlock Irrigation District to discharge storm water into T.I.D. Lateral No. 1 from the Gold Vineyard Subdivision

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-331

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE AND LAURA V. SMITH FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1413 GARDEN STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and George and Laura V. Smith **for** sewer service to property outside City limits at 1413 Garden Street, located on the north side of Garden Street between Sutter Avenue and Colorado Avenue **be and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 332

A RESOLUTION AMENDING SECTION 17.20 RELATING TO DESIGNATION OF MANAGEMENT AND CONFIDENTIAL EMPLOYEES OF THE PERSONNEL RULES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Manager has recommended an amendment to Section 17.20 relating to designation of Management and Confidential Employees, and

WHEREAS, the City Council has reviewed the amendment to Section 17.20 of the Personnel Rules as recommended by the City Manager and finds that said proposed amendment promotes the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 17.20 of the Personnel Rules be amended to read as follows:

17.20 Designation of Management and Confidential Employees

The City Manager shall, based upon the duties and responsiblities of each position in the City service, designate those employees in the City service who are "Management Employees" and "Confidential Employees".

"Management Employees" means the City Manager, City Attorney, City Clerk/Auditor, department heads, employees who act as department heads in the absence of department heads, employees who administer departmental divisions, employees who have significant responsibility for formulating and administering City policies, and employees who exercise supervisory authority. "Supervisory authority" means any employee, regardless of job description, having authority, in the interest of the City, to hire, transfer, suspend, layoff, recall, promote, discharge, assign,

appraise the performance of, reward, or discipline other employees, or the responsibility to assign work to and direct them, or to adjust their grievances or effectively to recommend such action, if in conjunction with the foregoing functions, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment.

"Confidential Employees" means those employees who, in the regular course of their duties, prepare information for, or have access to information prepared for management employees which information is related to employer-employee relations. "Employer-employee relations" means disciplinary actions, grievance determinations, and the meet-and-confer process to adjust wages, hours, and other terms and conditions of employment between the City and employee organizations.

Those employees designated by the City Manager as "Management Employees" and "Confidential Employees" may not represent any employee organization, which represents other employees of the City, on matters within the scope of representation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-333

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (KANSAS AVENUE NO. 2)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-174 on February 27, 1979, certain territory known as Kansas Avenue No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in Kansas Avenue No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Kansas Avenue No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 201.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, June 5, 19 79, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A Northwest corner of the annexation at the East line of Reno Avenue.

(2) A Northeast corner of the annexation at the West line of Lone Palm Avenue.

(3) A Northeast corner of the annexation at the Southwest corner of Emerald Avenue and Kansas Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 201, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on April 10, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: April 11, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

April 4, 1979

KANSAS AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the KANSAS AVENUE ADDITION (378), as per description filed July 24, 1978, as Instrument 4617, Stanislaus County Records, said corner being the intersection of the center lines of Kansas Avenue and Emerald Avenue, which lies 20 feet Westerly from the interior quarter corner of Section 30;

1. thence continuing along the existing City Limits and the center line of 60.00 foot Emerald Avenue, South 00° 30' 00" East, 268.87 feet;

2. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 88° 28' 38" West, 684.03 feet;

3. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 89° 47' 54" West, 801.21 feet;

4. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 86° 20' 47" West, 495.02 feet;

5. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 81° 06' 57" West, 543.24 feet;

6. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 47° 50' 35" West, 125.90 feet;

7. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 89° 11' 07" West, 45.00 feet to the center line 90.00 foot Carpenter Road;

8. thence leaving the existing City Limits along the center line of said road; North 00° 48' 53" West, 96.10 feet, to the center line of 40.00 foot Kansas Avenue;

9. thence continuing along the center line of said avenue, South 89° 45' 30" East, 855.37 feet, to the intersection of 40.00 foot Reno Avenue;

10. thence along the center line of 40.00 foot Reno Avenue, North 04° 26' 00" West, 66.53 feet;

11. thence continuing along the center line of said avenue, North 09° 14' 00" East, 66.00 feet;

12. thence continuing along the center line of said avenue, North 25° 41' 00" East, 214.50 feet;

13. thence continuing along the center line of said avenue, North 07° 17' 00" East, 66.00 feet;

14. thence continuing along the center line of said avenue, North 13° 20' 40" West, 82.50 feet;

15. thence continuing along the center line of said avenue, North 34° 10' 40" West, 99.00 feet;

16. thence continuing along the center line of said avenue, North 54° 27' 20" West, 249.55 feet;

17. thence continuing along the center line of said avenue, North 00° 53' 15" West, 610.77 feet;

18. thence South 89° 26' 27" East, 1325.51 feet, to the center line of 40.00 foot Lone Palm Avenue;

19. thence continuing along the center line of 40.00 foot Lone Palm Avenue, South 00° 34' 00" East, 1300.19 feet, to the center line of 40.00 Kansas Avenue;

20. thence along the center line of said avenue, South 89° 45' 30" East, 639.80 feet, to the point of beginning, containing 52.474 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-334

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (ORCHARD NEIGHBORHOOD)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-172 on February 27, 19 79, certain territory known as Orchard Neighborhood Annexation, and

WHEREAS, the inclusion of the area contained in Orchard Neighborhood Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Orchard Neighborhood Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 202.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, June 5, 19 79, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The Western line of the annexation at the East line of Oakdale Road and the South line of Merle Avenue.

(2) The Northwest corner of the annexation at the Southeast corner of Oakdale Road and Floyd Avenue.

(3) The Northeast corner of the annexation at the South line of Floyd Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 202, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on April 10, 19 79, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: April 11, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

ORCHARD NEIGHBORHOOD ADDITION

All that property in the State of California, County of Stanislaus, being a portion of the South 1/2 of the North 1/2 of Section 14, and all of the South 1/2 of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point bearing North 00° 21' 00" West, 345.64 feet, from the Southwest corner of Section 14;

1. thence continuing along the existing City Limits along the West line of Section 14 and the Eastern line of said ADDITION (230), North 00° 21' 00" West, 976.16 feet, to a Southeastern corner of ROSE ACRES ADDITION (181), as per description filed Septemeber 27, 1965, as Instrument 37370, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (181), North 00° 21' 00" West, 676.00 feet, to the Southeast corner of CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (268), North 00° 21' 00" West, 645.80 feet, to the West 1/4 corner of Section 14;

4. thence leaving the existing City Limits, and continuing along the center line of Oakdale Road, North 00° 21' 00" West, 660.96 feet, to the Southeast corner of OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3 , 1978, as Instrument 7281, Stanislaus County Records;

5. thence along the existing City Limits and the Eastern line of said ADDITION (379), North 00° 21' 00" West, 660.96 feet, to the Northeast 1/4 1/4 corner of Section 14 and the center line of 40.00 foot Floyd Avenue;

6. thence leaving the existing City Limits along the center line of said avenue and the 1/4 1/4 Section line, South 89° 33' 41" East, 5249.79 feet, to the Northwest 1/4 1/4 corner of Section 14;

7. thence South 00° 25' 10" East, 2645.95 feet, to the center line of 40.00 foot Merle Avenue;

8. thence South 00° 25' 10" East, 205.00 feet;

9. thence North 89° 34' 50" East, 5.67 feet;

10. thence South 00° 25' 10" East, 1037.08 feet;

11. thence South 89° 34' 50" West, 5.67 feet;

12. thence South 00° 25' 10" East, 82.17 feet, to the Southeast corner of Section 14;

13. thence North 00° 12' 14" West, 12.17 feet, to the center line of the 140.00 foot Modesto Irrigation District Lateral No. 3;

14. thence continuing along the center line of M. I. D. Lateral No. 3, North 89° 43' 14" West, 1651.06 feet;

15. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 44" West, 986.29 feet;

16. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 25' 48" West, 2064.18 feet;

17. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 18" West, 263.85 feet;

18. thence continuing along the center line of M. I. D. Lateral No. 3, along a tangent curve which is concave to the Southwest, having a Central Angle of 35° 18' 12", a Radius of 473.10 feet, and an Arc Length of 295.51 feet;

19. thence continuing along the center line of M. I. D. Lateral No. 3, South 62° 24' 30" West, 42.71 feet to the center line of 100.00 foot Oakdale Road and the point of beginning, containing 459.199 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-335

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland Fire Protection District in Stanislaus County was annexed to the City of Modesto as Kansas Avenue No. 2 Annexation by Resolution No. 79-174 adopted on February 27, 19 79, and said annexation officially became a part of the City of Modesto on March 23, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

April 4, 1979

KANSAS AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the KANSAS AVENUE ADDITION (378), as per description filed July 24, 1978, as Instrument 4617, Stanislaus County Records, said corner being the intersection of the center lines of Kansas Avenue and Emerald Avenue, which lies 20 feet Westerly from the interior quarter corner of Section 30;

1. thence continuing along the existing City Limits and the center line of 60.00 foot Emerald Avenue, South 00° 30' 00" East, 268.87 feet;

2. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 88° 28' 38" West, 684.03 feet;

3. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 89° 47' 54" West, 801.21 feet;

4. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 86° 20' 47" West, 495.02 feet;

5. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 81° 06' 57" West, 543.24 feet;

6. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 47° 50' 35" West, 125.90 feet;

7. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 89° 11' 07" West, 45.00 feet to the center line 90.00 foot Carpenter Road;

8. thence leaving the existing City Limits along the center line of said road; North 00° 48' 53" West, 96.10 feet, to the center line of 40.00 foot Kansas Avenue;

9. thence continuing along the center line of said avenue, South 89° 45' 30" East, 855.37 feet, to the intersection of 40.00 foot Reno Avenue;

10. thence along the center line of 40.00 foot Reno Avenue, North 04° 26' 00" West, 66.53 feet;

11. thence continuing along the center line of said avenue, North 09° 14' 00" East, 66.00 feet;

12. thence continuing along the center line of said avenue, North 25° 41' 00" East, 214.50 feet;

13. thence continuing along the center line of said avenue, North 07° 17' 00" East, 66.00 feet;

14. thence continuing along the center line of said avenue, North 13° 20' 40" West, 82.50 feet;

15. thence continuing along the center line of said avenue, North 34° 10' 40" West, 99.00 feet;

16. thence continuing along the center line of said avenue, North 54° 27' 20" West, 249.55 feet;

17. thence continuing along the center line of said avenue, North 00° 53' 15" West, 610.77 feet;

18. thence South 89° 26' 27" East, 1325.51 feet, to the center line of 40.00 foot Lone Palm Avenue;

19. thence continuing along the center line of 40.00 foot Lone Palm Avenue, South 00° 34' 00" East, 1300.19 feet, to the center line of 40.00 Kansas Avenue;

20. thence along the center line of said avenue, South 89° 45' 30" East, 639.80 feet, to the point of beginning, containing 52.474 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-336

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Orchard Neighborhood Annexation by Resolution No. 79-172 adopted on February 27, 1979, and said annexation officially became a part of the City of Modesto on March 23, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Mc Henry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

ORCHARD NEIGHBORHOOD ADDITION

All that property in the State of California, County of Stanislaus, being a portion of the South 1/2 of the North 1/2 of Section 14, and all of the South 1/2 of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point bearing North 00° 21' 00" West, 345.64 feet, from the Southwest corner of Section 14;

1. thence continuing along the existing City Limits along the West line of Section 14 and the Eastern line of said ADDITION (230), North 00° 21' 00" West, 976.16 feet, to a Southeastern corner of ROSE ACRES ADDITION (181), as per description filed Septemeber 27, 1965, as Instrument 37370, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (181), North 00° 21' 00" West, 676.00 feet, to the Southeast corner of CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (268), North 00° 21' 00" West, 645.80 feet, to the West 1/4 corner of Section 14;

4. thence leaving the existing City Limits, and continuing along the center line of Oakdale Road, North 00° 21' 00" West, 660.96 feet, to the Southeast corner of OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3 , 1978, as Instrument 7281, Stanislaus County Records;

5. thence along the existing City Limits and the Eastern line of said ADDITION (379), North 00° 21' 00" West, 660.96 feet, to the Northeast 1/4 1/4 corner of Section 14 and the center line of 40.00 foot Floyd Avenue;

6. thence leaving the existing City Limits along the center line of said avenue and the 1/4 1/4 Section line, South 89° 33' 41" East, 5249.79 feet, to the Northwest 1/4 1/4 corner of Section 14;

7. thence South 00° 25' 10" East, 2645.95 feet, to the center line of 40.00 foot Merle Avenue;

8. thence South 00° 25' 10" East, 205.00 feet;

9. thence North 89° 34' 50" East, 5.67 feet;

10. thence South 00° 25' 10" East, 1037.08 feet;

11. thence South 89° 34' 50" West, 5.67 feet;

12. thence South 00° 25' 10" East, 82.17 feet, to the Southeast corner of Section 14;

13. thence North 00° 12' 14" West, 12.17 feet, to the center line of the 140.00 foot Modesto Irrigation District Lateral No. 3;

14. thence continuing along the center line of M. I. D. Lateral No. 3, North 89° 43' 14" West, 1651.06 feet;

15. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 44" West, 986.29 feet;

16. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 25' 48" West, 2064.18 feet;

17. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 18" West, 263.85 feet;

18. thence continuing along the center line of M. I. D. Lateral No. 3, along a tangent curve which is concave to the Southwest, having a Central Angle of 35° 18' 12", a Radius of 473.10 feet, and an Arc Length of 295.51 feet;

19. thence continuing along the center line of M. I. D. Lateral No. 3, South 62° 24' 30" West, 42.71 feet to the center line of 100.00 foot Oakdale Road and the point of beginning, containing 459.199 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-337

A RESOLUTION ACCEPTING IMPROVEMENTS IN RANDY PARK SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Joe and Mary V. Randy, and Mark and Mary Randy, subdividers of Randy Park Subdivision, have filed subdivision Bonds for faithful performance and labor and materials in the amount of $96,200 and $ 96,200 respectively to guarantee improvements in Randy Park Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated April 4, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Randy Park Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $96,200 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $96,200 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-338

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING THE CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH WILLIAMS AND LANE COMPANY FOR THE PURCHASE OF FOUR DETROIT DIESEL ENGINES AND FOUR ALLISON TRANSMISSIONS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the purchase of four Detroit diesel engines and four Allison transmissions is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Williams and Lane Company for the purchase of four Detroit diesel engines and four Allison transmissions for a total price of $48,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-339

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BODY WORK AND PAINTING OF BUSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for body work and painting of buses, **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 8, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-340

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-4-9 OF THE ZONING MAP (AL SARINA AND GENE HERRON)

WHEREAS, the Modesto City Planning Commission held a public hearing on March 19, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to H-1 on the west side of Crows Landing Road south of Imperial; deny a request to rezone from R-1 to R-3 and recommend rezoning to R-2, property located on Algen Avenue, west of Crows Landing Road; and recommend rezoning from R-1 to P-D(221) to allow zero lot line residential development; and deny rezoning from R-1 to R-2 property located west of Crows Landing Road, south of Imperial Avenue, the following described property:

SEE SCHEDULE'S "A", "B", AND "C" ATTACHED

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No.s 79-74A, / 79-74B and 79-74C recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-4-9 of the Zoning Map be set for May 8, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

A portion of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

Beginning at a point along the East line of said Section 8, distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the centerline of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 431.00 feet; thence North 0°02'00" East 410.00 feet to the intersection with the South line of that certain parcel of land conveyed to the Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records; thence South 89°20'00" East along said South line, a distance of 138.85 feet to the Southeast corner of said lands; thence North 0°02'00" East along the East line of said lands, and along the East line of Parcel 1 as shown on that certain map recorded in Volume 4 of Parcel Maps at page 99, Stanislaus County Records and along the East line of Parcel 1, as shown on that certain map recorded in Volume 4 of Parcel Maps at Page 50, Stanislaus County Records, a distance of 161.37 feet; thence South 89°14'00" East, 292.62 feet to the intersection with the East line of said Section 8 and the centerline of Crows Landing Road; thence South 0°02'00" West along said East line of said Section 8, and along said centerline, a distance of 571.64 feet to the point of beginning.

Containing 5.1 Acres of land more or less

SCHEDULE "A"
SARINA AND HERRON
REZONE R-1 TO H-1

A portion of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, more particularly described as follows:

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of that certain parcel of land conveyed to the Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence North 0°02'00" East along same Southerly prolonged line, a distance of 410.00 feet to the Southwest corner of said Lands of the Industrial Fire Protection District; thence South 89°20'00" East along the South line of said lands, a distance of 229.00 feet; thence South 0°02'00" East, a distance of 410.00 feet to the intersection with above mentioned parallel line; thence North 89°20'00" West along said parallel line, a distance of 229.00 feet to the point of beginning.

Containing 2.2 acres of land more or less.

SCHEDULE "B"
SARINA AND HERRON
DENY REZONING FROM R-1 TO R-3

From R-1 to P-D

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of the property conveyed to Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence along said Southerly prolonged line and along said Westerly line, a distance of 510.00 feet to the intersection with the Northerly line of that certain parcel of land conveyed to Richard G. Herron, et al, by Deed recorded in Volume 3032 of Official Records at Page 68, Stanislaus County Records; thence North 89°20'00" West along said Northerly line, a distance of 559.30 feet to the Southeast corner of that certain parcel of land conveyed to Alfred T. Sarina, et al, by Deed recorded in Volume 3036 of Official Records at Page 212, Stanislaus County Records; thence North 0°03'30" East along the East line of said Lands of Sarina and its Northerly prolongation thereof a distance of 204.68 feet to the intersection with the centerline of Imperial Avenue, as shown on that certain map of the Frazier Home Tract, recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records; thence North 89°14'00" West along said center line, a distance of 60.00 feet to the intersection with the Northerly prolongation of the West line of said Lands of Sarina; thence South 0°03'30" West along said prolonged line and along said West line, a distance of 204.69 feet, to the intersection with the Northerly line of the aforementioned Lands of Richard G. Herron; thence along North 89°20'00" West along said North line, a distance of 747.90 feet to the Northwest corner of said Lands of Herron; thence South 0°13'00" West along the West line of the Lands of Herron and along the East line of the Rutherford Tract as shown on that certain

SCHEDULE "C"
SARINA AND HERRON
REZONE R-1 TO P-D(221)

map recorded in Volume 16 of Maps, at Page 37, Stanislaus County Records; a distance of 660.00 feet to the Southeast corner of said Rutherford Tract as shown on said map said corner also being the Southwest corner of said Lands of Herron; thence South 89°20'00" East along the South line of said Lands of Herron, a distance of 345.00 feet; thence along the following four (4) courses and distances;

North 0°40'00" East; 110.00 feet;
South 89°20'00" East; 435.00 feet;
North 0°40'00" East; 5.00 feet, and
South 89°20'00" East; 404.18 feet; thence along an arc of a tangent curve to the left having a radius of 250.00 feet; through a central angle of 21°33'45", an arc distance of 94.08 feet to a point of reverse curvature; hence along an arc of a tangent curve to the right, having a radius of 250.00 feet through a central angle of 21°33'44", an arc distance of 94.08 feet to the point of beginning.

From R-1 to R-2

COMMENCING at a point along the East line of said Section 8, distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the point of beginning; thence South 0°02'00" East, 150.00 feet to the intersection with said North line of the South one half of the Southeast one quarter of said Section 8; thence North 89°20'00" West along said North line of the South one half of the Southeast one quarter of said Section 8, a distance of 1024.60 feet; thence the following (4) courses and distances;

North 0°40'00 East, 110.00 feet;
South 89°20'00" East, 435.00 feet;
North 0°40'00" East; 5.00 feet; and
South 89°20'00" East, 404.18 feet; thence along an arc of a tangent curve to the left, having a radius of 250.00 feet, through a central angle of 21°33'45", an arc distance of 94.08 feet to a point of reverse curvature; thence along an arc of a tangent curve to the right, having a radius of 250.00 feet, through a central angle of 21°33'44", an arc distance of 94.08 feet to the point of beginning.

Containing 2.7 acres of land more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-341

A RESOLUTION ACQUIRING INSURANCE FOR MODESTO CITY TRANSIT SYSTEM AND RENEWAL OF GENERAL AND AUTOMOBILE LIABILITY INSURANCE

WHEREAS, the City of Modesto, through Giddings, Corby, Hynes, Inc., has obtained insurance with the American Reserve Insurance Company for Modesto City Transit System and Renewal of General and Automobile Liability Insurance.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Modesto does hereby approve the following:

1. That the Modesto City Public Transportation System primary insurance be insured with the American Reserve Insurance Company for one million dollars ($1,000,000.00) of coverage for the period of March 1, 1979, through February 29, 1980, at a cost of $33,812.00;

2. That a short-term liability policy with the Puritan Insurance Company for one million dollars ($1,000,000.00) for the period of February 22, 1979, to March 1, 1979, for a cost of $190.00 (occasioned by the cancellation of transit casualty policy effective February 22, 1979, and no other insurance was available before date of March 1, 1979) be approved;

3. That the City's current automobile liability and general liability policies (self-insured program) be amended to also insure the Modesto City Public Transportation System for $14 million dollars (excess of the 1 million dollars) to provide $15 million dollar coverage as follows:

(a) Changing effective date to March 1, 1979 through February 29, 1980;

(b) Changing the excess insurance carrier to be as follows:

	City Transportation System	City excess Liability
(1) Columbia Casualty	-	$300,000
(2) Great American Insurance Co.	-	500,000
(3) Puritan	$4,000,000	4,000,000
(4) New England Reinsurance	5,000,000	5,000,000
(5) Interstate Fire and Casualty	5,000,000	5,000,000
	$15,000,000	$15,000,000

(c) The policies No.'s 3, 4, & 5 above shall reflect that they insure excess of the $1 million dollar coverage provided by American Reserve Insurance Company for the City Public Transportation System; all policies shall insure excess of the City's self-insured retention of $200,000.00;

4. Approve the annual premium for the excess liability policies of $189,680.00.

BE IT FURTHER RESOLVED that the Council of the City of Modesto does hereby authorize the City Manager to sign the necessary agreements to enter into contract with the American Reserve Insurance Company and extend the current liability insurance coverage through March 1, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-342

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $106,000 FROM GENERAL RESERVE TO PROVIDE INSURANCE COVERAGE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	GENERAL RESERVE (60-00 800 101)	$106,000
TO:	PUBLIC LIABILITY INSURANCE (415.00 640 101)	$106,000

Because the City is advancing the liability coverage date from July 1, to March 1, additional financing is required to extend coverage through March, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** April, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-343

A RESOLUTION APPROVING THE FINAL MAP OF THE SYLVAN MEADOWS NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Stone Brothers & Associates, a partnership, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 2.772 acres, known as the Sylvan Meadows No. 6 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 2nd day of January, 1979, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sylvan Meadows No. 6 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly

seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 344

A RESOLUTION GRANTING APPROVALS TO THE MODESTO JAYCEES FOR A "PICNIC IN THE PARK" AND A PARADE AND FIREWORKS DISPLAY TO CELEBRATE JULY 4, 1979, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Modesto Jaycees (hereinafter referred to as the Jaycees) has filed requests with the City Council for permission to use Enslen Park and Graceada Park for a "Picnic in the Park" as part of its July 4th celebration, and

WHEREAS, said Jaycees has also filed requests relating to its parade and fireworks in connection with its July 4th celebration, and

WHEREAS, the Council deems it appropriate to grant approvals to the Jaycees relating to its July 4th celebration, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Jaycees' 1979 July 4th "Picnic in the Park":

1. The Jaycees may use Enslen Park and Graceada Park on Wednesday, July 4, 1979, for a "Picnic in the Park".

2. The streets of Sycamore from Needham to Morris, Park from Needham to Morris, Stoddard from Sycamore to Park, and Enslen from Stoddard to Morris may be closed to all traffic except emergency vehicles on Wednesday, July 4, 1979, subject to the approval of the Chief of Police of the City of Modesto. The Jaycees shall furnish their own street barricades for the closing of the streets approved by the Chief of Police.

3. The City of Modesto will provide eight (8) chemical toilets for the "Picnic in the Park" on Wednesday, July 4, 1979.

4. All necessary licenses and permits must be obtained by each person or organization conducting an activity in either Enslen Park or Graceada Park as part of the "Picnic in the Park".

5. The Committee may charge a registration fee, in an amount not to exceed Twenty and no/100ths ($20.00) Dollars, from any person or organization conducting an activity in either Enslen Park or Graceada Park.

6. In the event of any disagreement over the right of any person or organization to use either Enslen Park or Graceada Park, the City's Director of Parks and Recreation shall have the right to make the final determination.

7. The Jaycees shall remove any excess trash and debris from both Enslen Park and Graceada Park which is generated as a result of the "Picnic in the Park". The removal of said excess trash and debris by the Jaycees shall be completed by Thursday, July 5, 1979, at 12:00 o'clock noon.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Modesto Jaycees' 1979 July 4th parade and fireworks display:

1. "I" Street, between 11th and 12th Streets will be barricaded between 9:30 A. M. and 3:30 P. M. on Wednesday, July 4, 1979.

2. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel on Tuesday, July 3, 1979, for use for the parade on Wednesday, July 4, 1979.

3. The Jaycees are granted permission to use a public address system at the reviewing stand. Said public address system to be furnished by the Jaycees.

4. The Jaycees are granted permission to use Del Webb Field for entertainment and display of fireworks on the evening of July 4, 1979, subject to the following conditions:

(a) That the weather conditions will not create any fire hazard to the surrounding area;

(b) That the Jaycees assume the responsibility for cleaning Del Webb Field and adjacent areas after their use;

(c) That the City be reimbursed for any damages which may occur to Del Webb Field and City's two (2) adjacent golf courses;

(d) That arrangements be cleared by the Director of Parks and Recreation and the Chief of Police.

(e) That the fire works display be conducted according to the requirements of the Fire Chief of the City of Modesto as set forth in the memorandum from the Fire Chief to the City Manager dated March 12, 1979, a copy of which is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

5. The following parade route is approved as the parade route to be used on July 4, 1979, subject to approval of the Chief of Police and Director of Parking and Traffic: starting at 10th and F Streets; north on 10th to J Street; east on J Street to 11th; south on 11th to I Street; east on I Street to 16th Street; then dismantle.

6. The City will supply a standby fire truck for the fireworks display.

7. The City will supply two street sweepers for the parade.

8. The City will pay the Jaycees a total of Four Thousand, Five Hundred and no/100ths ($4,500.00) Dollars to help defray some of the Jaycees' expenses such as insurance, postage, etc.

BE IT FURTHER RESOLVED that the following conditions shall apply to the requests of the Modesto Jaycees relating to their "Picnic in the Park", parade and fireworks:

1. The City of Modesto shall indemnify and hold harmless the Modesto Jaycees from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary public use of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

2. The Modesto Jaycees shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the Jaycees' use of Enslen and Graceada Parks and the streets and areas adjacent thereto and the use of Del Webb Field and the streets and areas adjacent thereto.

3. The Jaycees shall furnish to the City Clerk of City current and valid certificates of insurance evidencing public liability and property damage insurance as shall protect the Jaycees and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Jaycees' use of Enslen and Graceada Parks and the streets adjacent thereto and the use of Del Webb Field and the areas adjacent thereto.

The amounts of public liability insurance shall be as follows:

Public liability insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereafter called "bodily injury") sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage.

The Jaycees' liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk of City, shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the Jaycees under the terms of this resolution, and the liability policies, and the certificates of insurance to be furnished to City, shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Modesto Jaycees with a copy of this resolution. The Jaycees shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

March 12, 1979

City Manager

Fire Chief

Fireworks Display - July 4, 1979 - Del Webb Field

Pursuant to the provisions of Section 12648 of the Health and Safety Code of the State of California, I recommend a permit be granted with City Council approval as provided for in Section 12646 of the public display of fireworks to be conducted by the 4th of July Celebration Committee at Del Webb Field, July 4, 1979.

I recommend the permittee be required to provide the following safety measures as a condition for conducting the fireworks display.

1) The pyrotechnic operator shall be currently licensed by the State Fire Marshal.

2) Patrol personnel be provided to prevent the unlawful and dangerous discharge of legal and illegal fireworks on the Municipal Golf Course and on the Del Webb Field property by the general public.

3) Patrol personnel be provided to control the vehicular traffic and parking during the arrival and departure of the citizens attending the display.

4) Modesto Fire Department be authorized to provide fire patrol services in the fallout area utilizing six (6) off-duty Fire Department personnel and two (2) reserve engine companies.

5) Discharge of fireworks to be permitted only upon the approval of the Fire Marshal who will inspect the area prior to the actual discharging and will determine if compliance has been made with required safety regulations and the wind velocity is not exceeding the knots considered safe for this display.

6) The downrange area be barricaded and patrolled to prevent injury to spectators due to fallout of rocket components and short ground bursts.

Bruce Simons

BS:mlw

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-345

RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN FOR LOW-RENT PUBLIC HOUSING

WHEREAS, it is the policy of this locality to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of a decent home in a suitable living environment for all of its citizens; and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the United States of America, acting through the Secretary of Housing and Urban Development (herein called the "Government"), is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out preliminary planning of low-rent housing projects that will assist in meeting this goal; and

WHEREAS, the Act provides that there shall be local determination of need for low-rent housing to meet needs not being adequately met by private enterprise and that the Government shall not make any contract with a public housing agency for preliminary loans for surveys and planning in respect to any low-rent housing projects unless the governing body of the locality involved has by resolution approved the application of the public housing agency for such preliminary loan; and

WHEREAS, the Housing Authority of the County of Stanislaus (herein called the "Local Authority") is a public housing agency and is applying to the Government for a preliminary loan to cover the costs of surveys and planning in connection with the development of low-rent housing;

NOW, THEREFORE, be it resolved by the Council of the City of Modesto as follows:

1. That there exists in the City of Modesto a need for such low-rent housing which is not being met by private enterprise;
2. That the application of the Local Authority to the Government for a preliminary loan in an amount not to exceed $50,000.00 for surveys and planning in connection with low-rent housing projects of not to exceed approximately 100 dwelling units is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-346

A RESOLUTION AUTHORIZING THE SUBMISSION OF A PRE-APPLICATION FOR FEDERAL FUNDING TO CONSTRUCT THE GENERAL AVIATION ACCESS ROAD TO YOSEMITE BOULEVARD

WHEREAS, the 1978-79 Airport Capital Improvement Program includes a project to construct a new access road to connect the general aviation facilities with a more direct access to Yosemite Boulevard; and

WHEREAS, funding of this project comes from the Federal Aviation Administration's (FAA) Annual Apportionment Funds (80%), the City (10%) and the County (10%); and

WHEREAS, the budget contains $70,000 for the project, however, the latest engineer's estimate indicates the project will cost $77,120 or a 10% increase; and

WHEREAS, the FAA will share 80% ($6,827) of this increase while the remaining 20% ($1,707) will be shared equally between the City ($854), and County ($853).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that execution by the City Manager of a pre-application for federal funding from the FAA to secure our Annual Apportionment Funds be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-347

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1978-79 TO PROVIDE FOR THE ADDITIONAL COST OF THE AIRPORT GENERAL AVIATION ACCESS ROAD.

WHEREAS, the Final Budget of the City of Modesto for fiscal year 1978-79 provides for construction of a General Aviation Access Road in the Airport Fund (Fund 230), in the amount of $68,630, and

WHEREAS, the estimated cost of said project has increased $8,490 from $68,630 to $77,120, and

WHEREAS, the Federal Aviation Administration will provide financing up to 80% of the cost increase,

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the following changes be made in the Final Budget of the City of Modesto for fiscal year 1978-79 to adjust revenue estimates and appropriations:

A. Airport Fund (Fund No. 230)	FROM	TO	INCREASE [DECREASE]
1. Revenue			
Account No. 255, FAA Grant	$820,873	$827,665	$6,792
Account No. 941, Interfund Transfer In	$359,346	$361,044	$1,698
2. Appropriations			
Account No. 6947, General Aviation Access Road	$ 68,630	$ 77,120	$8,490

B. Special Aviation Fund
(Fund No. 306)

1. Revenue

Account No. 223, County Airport Apport.	$154,563	$155,412	$ 849
Account No. 941, Interfund Transfer In	$172,564	$173,413	$ 849

2. Appropriations

Account No. 940, Interfund Transfers Out	$347,127	$348,816	$1,689

C. Special Fund for Capital Outlay (Fund No. 321)

1. Appropriations

Account No. 60, Dept. 800, General Reserve	$517,645	$516,796	$ [849]
Account No. 940, Dept. 900, Interfund Transfer Out	$501,564	$502,413	$ 849

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)
APPROVED AS TO FORM: By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESOLUTION N.O.

79 - 348

UNUSED

MODESTO CITY COUNCIL
RESOLUTION NO. 79-349

A RESOLUTION APPROVING APPOINTMENTS TO COUNCIL COMMITTEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the Councilmembers are hereby appointed to the following designated committees, to serve two-year terms:

Animal Control Committee	Bright, Chairperson Muratore
Appointments Committee	Mensinger, Chairperson Elliott Siefkin
Chamber of Commerce Board of Directors Liaison	Elliott
Cities-County Committee	Kullijian (Mensinger alternate)
Council-Supervisors Liaison Committee	Mensinger Muratore
Criminal Justice Planning Board - Region K	Kullijian
Downtown Renaissance Committee	Mensinger, Chairperson Lang Siefkin
Economic Development Act Committee	Lang (Muratore alternate)
Housing & Community Development Committee	Kullijian, Chairperson
Housing Maintenance & Counseling Sub-Committee	Lang, Chairperson
Housing Loan Pool Sub-Committee	Bright
League of California Cities/Central Valley Division Executive Committee	Lang Siefkin
Public Projects Committee	Siefkin, Chairperson Elliott Bright
School Site & Facilities Tax Advisory Committee	Elliott
Senior Center Committee	Kullijian, Chairperson Lang Muratore

Sister City Committee Liaison	Bright
Stanislaus Area Association of Governments	Bright (Elliott alternate) Lang (Kullijian alternate) Muratore (Siefkin alternate)
Stanislaus County Manpower Planning Advisory Board	Elliott (Kullijian alternate)
Transportation & Traffic Committee	Muratore, Chairperson (Siefkin alternate)
Tuolumne River Regional Park Committee	Mensinger Bright

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of April, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-350

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENT FOR READY-MIXED CONCRETE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual requirement for ready-mixed concrete **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 2:20 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-351

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING SEASONAL REQUIREMENTS OF LIQUID ANHYDROUS AMMONIA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing seasonal requirements of liquid anhydrous ammonia

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 2:00 p.m. and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-352

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF TRAFFIC LINE PAINT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for annual requirements of traffic line paint **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 1, 1979, at 2:30 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-353

A RESOLUTION ACCEPTING THE BID OF DON L. DAVIS, INC. FOR REPAINTING OF VARIOUS STREET LIGHT POLES AND MAST ARMS

WHEREAS, Resolution No. 79-226 **, adopted by the Council of the City of Modesto on** March 20, 1979 **, approved the plans and specifications for the** repainting of various street light poles and mast arms

and authorized the calling for bids, and

WHEREAS, the bids received for the repainting of various street light poles and mast arms **were opened at** 11:00 a.m. on April 10, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Don L. Davis, Inc. in the amount of $8,532.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Don L. Davis, Inc. in the amount of $8,532.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-354

A RESOLUTION ACCEPTING THE BID OF BARTLEY MILLING COMPANY FOR THE PURCHASE OF REDWOOD MILLING FOR THE MCHENRY MANSION

WHEREAS, Resolution No. 79-229 **, adopted by the Council of the City of Modesto on** March 20, 1979 **, approved the plans and specifications for the** furnishing of millwork for McHenry Mansion

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of millwork for McHenry Mansion **were opened at** 2:00 p.m. on April 10, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Bartley Milling Company in the amount of $57,883.82

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bartley Milling Company in the amount of $57,883.82

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-355

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1978-79 TO PROVIDE ADDITIONAL FINANCING FOR THE RESTORATION OF THE MC HENRY MANSION.

WHEREAS, the Council of the City of Modesto has appropriated $99,000 in Capital Account #8276, Mansion Restoration, of the McHenry Mansion Restoration Fund, Fund No. 335, and

WHEREAS, the estimated cost of completing said project has increased by $15,000 from $99,000 to $114,000, and

WHEREAS, financing of this additional cost is available in the Fund Balance, General Ledger Account #600-00, of the McHenry Mansion Restoration Fund, Fund No. 335,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Final Budget of the City of Modesto, McHenry Mansion Restoration Fund, Fund No. 335, for the fiscal year 1978-79 be amended as follows:

1. General Ledger Account No. 600-00, Fund Balance be reduced by $15,000 to $5,672.95.

2. General Ledger Account No. 820-00, Appropriations, be increased by $15,000 to $403,127.42.

3. Capital Account No. 6276, Mansion Restoration, be increased $15,000 from $99,000 to $114,000.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council

of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-356

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSIONS IN CONANT AVENUE AND STANDIFORD AVENUE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extensions in Conant Avenue and Standiford Avenue has been completed by Mac's Backhoe Service

in accordance with the contract agreement dated December 4, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extensions in Conant Avenue and Standiford Avenue be accepted from said contractor, Mac's Backhoe Service;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $29,721.55 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-357

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH BILLINGTON WELDING TO RELINE THE HOLDING TANK ON THE CITY'S VACTOR TRUCK #40298

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for relining the holding tank on the City's vactor truck #40298 is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Billington Welding to reline the holding tank on the City's vactor truck for a total cost of $7,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-358

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH J.H. KLEINFELDER & ASSOCIATES TO PERFORM SOILS INVESTIGATION FOR ORCHARD STORM DRAINAGE PROJECT

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure to perform soils investigation for Orchard Storm Drainage Project is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with J.H. Kleinfelder & Associates to perform soils investigation for Orchard Storm Drainage Project for a total cost of $5,000.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-359

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT TO MODESTO CHURCH OF THE BRETHREN/THERAPEUTIC HOMES, INC. TO ALLOW UTILIZATION OF EXISTING CHURCH FACILITIES FOR A PRIVATE SCHOOL AT THE SOUTHEAST CORNER OF ROSEDALE AVENUE AND SIERRA DRIVE.

WHEREAS, a verified application for an Unclassified Use Permit to allow utilization of existing church facilities at the southeast corner of Rosedale Avenue and Sierra Drive in the City of Modesto for a private school for a maximum of 30 children grades K through 6 was filed by Modesto Church of the Brethren/ Therapeutic Homes, Inc., on January 17, 1979, and

WHEREAS, Article 14 and Article 21 of Title X of the Modesto Municipal Code establishes the requirement and the procedure for obtaining an Unclassified Use Permit for educational institutions, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street, in the City of Modesto, on February 26, 1979, and

WHEREAS, thereafter, upon evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 79-48, recommending to the Council that an Unclassified Use Permit be granted to Modesto Church of the Brethren/Therapeutic Homes, Inc. to allow utilization of existing church facilities at the southeast corner of Rosedale Avenue and Sierra Drive in the City of Modesto for a private school for a maximum of 30 children grades K through 6 for the reasons and subject to the conditions set forth in Planning Commission Resolution No. 79-48, a copy of which is attached hereto, marked Exhibit "A", and by this reference made a part hereof as though set forth in full herein, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on April 17, 1979, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject Unclassified Use Permit, and

WHEREAS, said hearing was held before the Council on April 17, 1979, at the above time and place, and evidence, both oral and documentary was taken and introduced at said hearing, and the Council found and determined that the granting of an Unclassified Use Permit to Modesto Church of the Brethren/Therapeutic Homes, Inc. to allow utilization of existing church facilities at the southeast corner of Rosedale Avenue and Sierra Drive for a private school for a maximum of 30 children grades K through 6 is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-48, which has heretofore been made a part hereof,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an Unclassified Use Permit be granted to Modesto Church of the Brethren/ Therapeutic Homes, Inc. to allow utilization of existing church facilities at the southeast corner of Rosedale Avenue and Sierra Drive in the City of Modesto for a private school for a maximum of 30 children grades K through 6 subject to the conditions set forth in Planning Commission Resolution No. 79-48, which has heretofore been made a part hereof.

BE IT FURTHER RESOLVED that failure to comply with the conditions set forth in Exhibit "A" attached hereto shall constitute grounds for revocation of this Unclassified Use Permit.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 17th day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 360

A RESOLUTION ESTABLISHING FILING FEES FOR SUBDIVISION AND PARCEL MAPS.

WHEREAS, Section 4-4.106 of the Modesto Municipal Code, provides that the Council, by resolution, shall establish filing fees for the processing of tentative and final subdivision and parcel maps and for other procedures required or authorized by Chapter 4 of Title IV of the Modesto Municipal Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. FEES. Filing fees for such maps and procedures required and authorized by Chapter 4 of Title IV of the Modesto Municipal Code are hereby established as follows:

(a)	Tentative subdivision and parcel map review, parcel map reversion, or parcel map waiver fee (Planning)	$ 50.00
	Plus per lot on each map	1.00
(b)	Reversion to acreage (Public Works)	100.00
(c)	Lot line adjustment or certificate of compliance (Planning)	25.00
(d)	Final parcel map checking fee (Public Works)	120.00
(e)	Final (subdivision)map checking fee (Public Works) for subdivisions of 10 or less lots	120.00
(f)	Final (subdivision) map checking fee (Public Works) for subdivisions of 10 or more lots	120.00
	Plus per each lot in excess of 10	1.50
(g)	Printing fees per sheet (Public Works)	
	Mylar	2.60
	Sepia	1.00
	Blue-line	.50

SECTION 2. EFFECTIVE DATE. This resolution shall become effective on and after July 1, 1979.

SECTION 3. REPEALS. Resolution No. 77-835 adopted by the Council on August 8, 1977, is hereby rescinded effective July 1, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-361

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY TO WIDEN AND RECONSTRUCT PARADISE ROAD FROM CARPENTER TO ELLEN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County to widen and reconstruct Paradise Road from Carpenter to Ellen

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-362

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION WITH THE STATE OF CALIFORNIA PUBLIC UTILITIES COMMISSION FOR WIDENING OF EXISTING NEEDHAM STREET CROSSING ACROSS TRACKS OF THE TIDEWATER SOUTHERN RAILWAY COMPANY

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to the State of California Public Utilities Commission for widening of existing Needham Street crossing across tracks of the Tidewater Southern Railway Company be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-363

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN R. AND EMMA BEATTY FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 431 BRIGGS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John R. and Emma Beatty **for** sewer service to property outside City limits at 431 Briggs Avenue, located on the north side of Briggs Avenue between Franklin Street and Wheatley Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 79-364

A RESOLUTION ESTABLISHING LIMITATIONS ON THE USE OF WATER FROM THE MUNICIPAL WATER SYSTEM FROM JUNE 1, 1979, THROUGH SEPTEMBER 15, 1979.

WHEREAS, the City of Modesto obtains its entire supply of domestic water from 45 deep well pumping stations, and

WHEREAS, the conservation of ground water is a prudent and desirable goal and is necessary for the public health and safety, and

WHEREAS, it is timely for the City of Modesto to take those steps necessary to help insure an adequate local supply of water, and

WHEREAS, peak water demands on the municipal water system occur between the hours of 4 p.m. and 8 p.m. from June 1, 1979, through September 15, 1979, and

WHEREAS, the Modesto Irrigation District has advised that the peak electric power demands on the Modesto Irrigation District system occur between the hours of 4 p.m. and 7 p.m. from June 1, 1979, through September 15, 1979, and

WHEREAS, the University of California Cooperative Extension Service has advised that it is best to water lawns deeply, infrequently, and in the mornings, and

WHEREAS, Section 11-1.14, subsection (q), of the Modesto Municipal Code authorizes this Council to establish rules or regulations by resolution concerning the city's municipal water system,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The irrigation of all landscaped areas (lawns, ornamental gardens, shrubs, ornamental trees, etc.) from water supplied by the municipal water system is prohibited between the hours of 4 p.m. and 8 p.m. of each day, except Sunday's, from June 1, 1979, through September 15, 1979.

2. Violations of the above prohibition are declared to be a waste of water and shall be handled by the Director of Public Works in accordance with the provisions of Section 11-1.14 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-365

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR DALE-SNYDER NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Dale-Snyder No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MEMORANDUM

Date: April 10, 1979

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED DALE-SNYDER NO. 2 ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: Approximately 40.6 acres

Elementary School District: Stanislaus Union

Response of School District: No objection

Fire District: Salida

Distance From Nearest City Fire Station: 2-1/2 miles

Current Land Use: Agricultural except for 4.6-acre church site at the southeast corner of Dale Road and Snyder Avenue

Anticipated Land Use: Residential development--no plans have been submitted at this time.

Water and Sanitary Sewer Service Availability: These facilities are in the area and are serving development to the south, east, and west.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Dale-Snyder No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

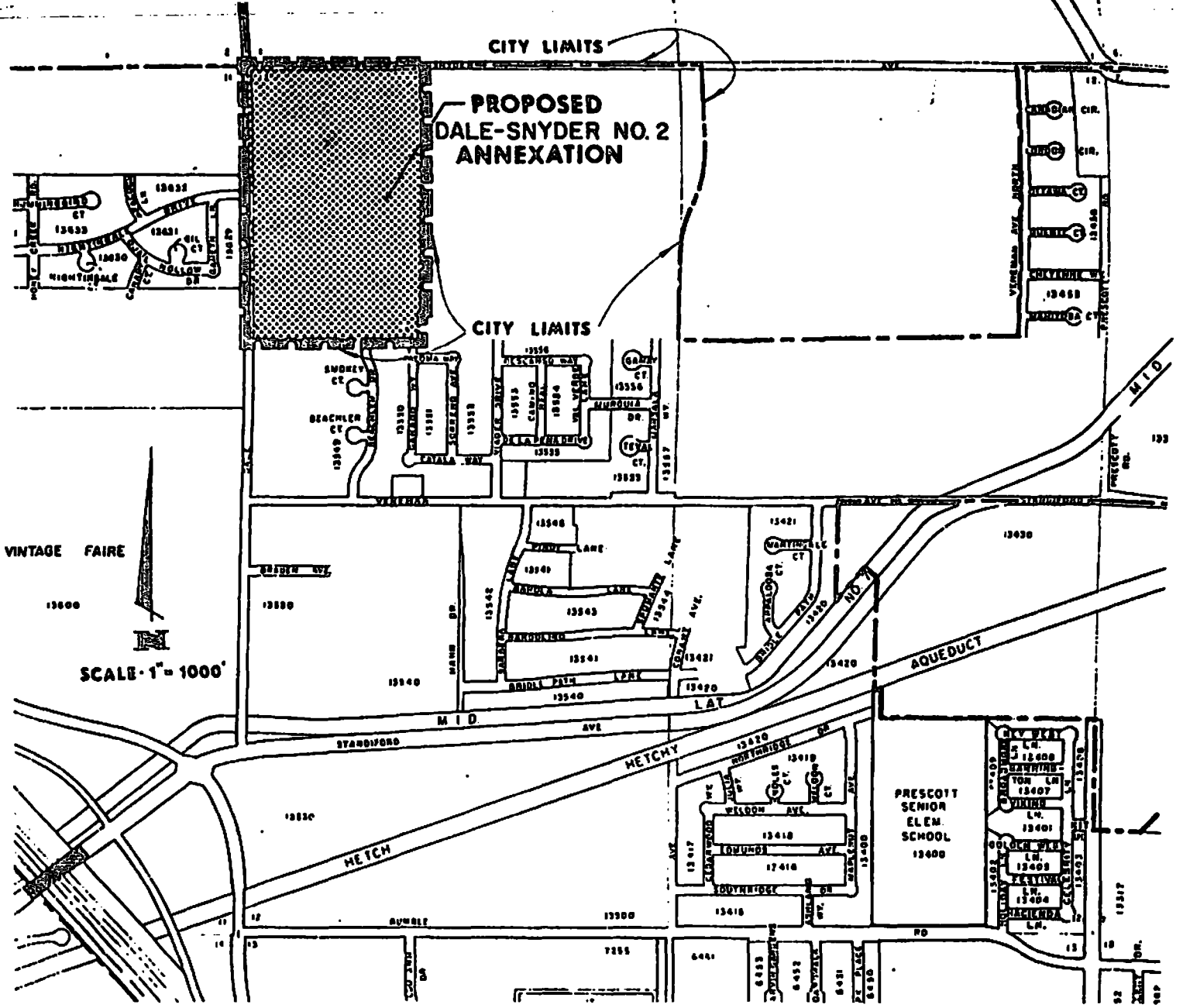
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None



PROPOSED DALE-SNYDER NO. 2 ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-366

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SNYDER AVENUE NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Snyder Avenue No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MEMORANDUM

Date: April 10, 1979

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED SNYDER AVENUE NO. 2 ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: Approximately 77.7 acres

Elementary School District: Stanislaus Union

Response of School District: No objection

Fire District: Salida

Distance From Nearest City Fire Station: 3-1/4 miles

Current Land Use: Agricultural

Anticipated Land Use: Residential Development--plans have been submitted for developing approximately 18 single-family lots at the southwest corner of the property in conjunction with an adjacent subdivision.

Water and Sanitary Sewer Service Availability: These facilities are in the area and are serving development to the south, east, and west.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols

WSN/BH:wpc
Attachment

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Snyder Avenue No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

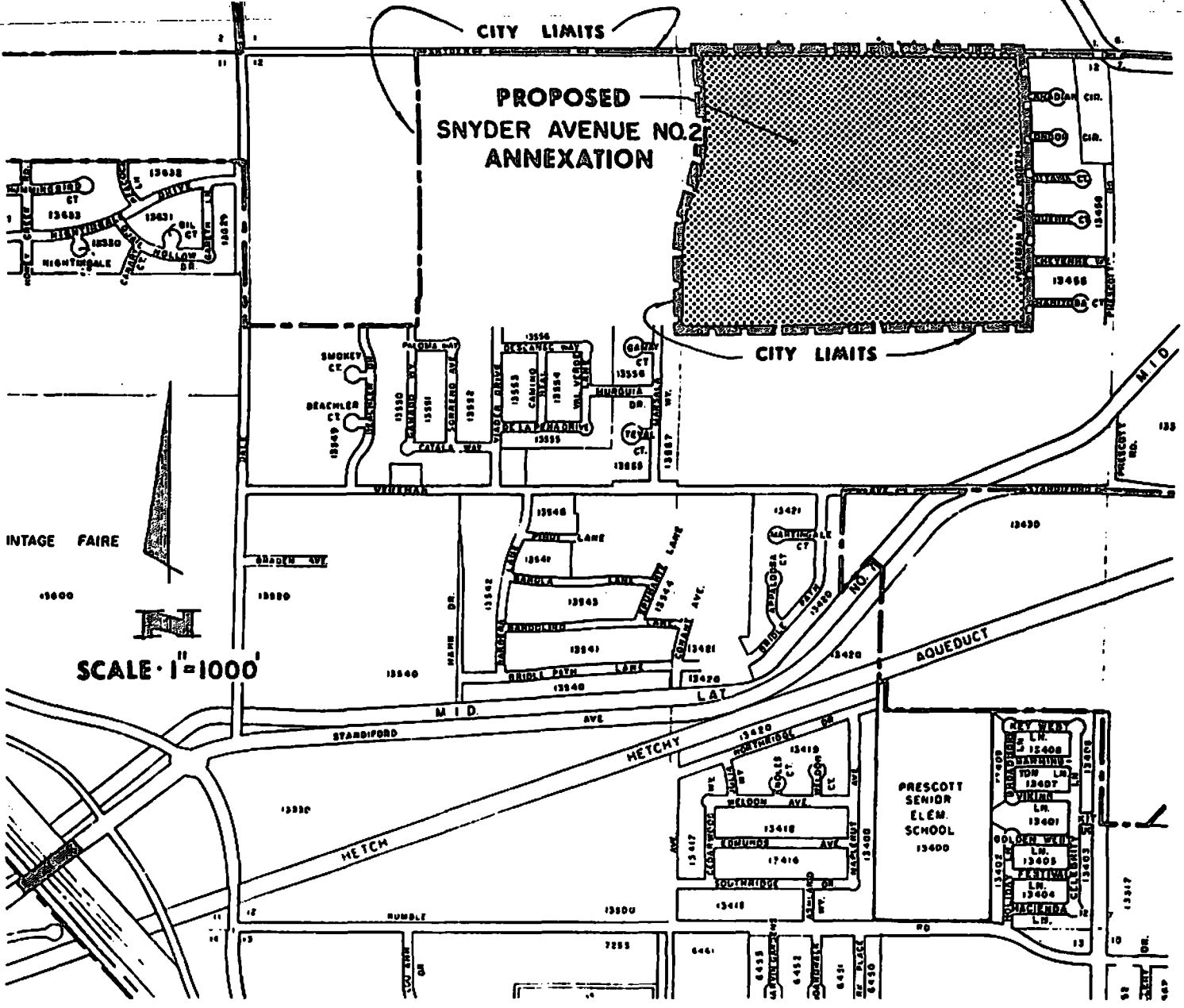
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



PROPOSED
SNYDER AVENUE NO. 2
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-367

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SUNNYSIDE ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Sunnyside Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated March 21, 1979, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioner requesting said annexation as set forth in the application filed with the Commission is:

Name	Address
Charles S. Cole	1321 Pearl Street Modesto, CA 95350

and

WHEREAS, the territory which the petitioner requests be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Sunnyside Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 12th day of June, 1979, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

SUNNYSIDE ANNEXATION TO THE CITY OF MODESTO

RESOLUTION

March 21, 1979

WHEREAS, at the time and place previously fixed for a public hearing on the proposed Sunnyside Addition to the City of Modesto, said public hearing was held; and

WHEREAS, notice of said public hearing was given as required by Section 35055 of the Government Code of the State of California and the affidavit of Lloyd R. Brouillard to this effect is on file; and

WHEREAS, this Commission has heard all parties requesting to be heard on this matter and has given consideration to all factors required by Section 35150 of the Government Code of the State of California.

NOW, THEREFORE, this Commission finds and determines that

a) the said proposal will not have a significant effect on the environment;

b) the area involved in the proposal is committed to urbanization and should be located within the City of Modesto where proper urban services are available;

c) the approval of the proposal would be consistent with all applicable general plans;

d) the territory is uninhabited.

e) the annexation of the territory involved in the proposal would contribute to the elimination of an unincorporated island;

BE IT RESOLVED that

a) a negative declaration is ordered filed;

EXHIBIT "A"

b) the proposal is designated as the Sunnyside Annexation to the City of Modesto;

c) the proposal is approved as submitted subject to the condition that its boundaries be amended to include Stanislaus County County Assessor's parcel number 034-06-11;

d) the City of Modesto is designated as the conducting authority and its city council is directed to initiate annexation proceedings.

Upon motion by Commissioner Logsdon , seconded by Commissioner Ulm , the foregoing resolution was duly passed and adopted at a regular meeting of the Stanislaus County Local Agency Formation Commission this 21st day of March, 19 79 by the following called vote:

AYES:	Commissioners:	Logsdon, Ulm, Garcia, Condit.
NOES:	Commissioners:	None
ABSENT:	Commissioners;	Draper and Arakelian
ABSTAINING OR DISQUALIFIED:	Commissioners:	Siefkin

ATTEST: _____
Assistant Executive Officer

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

This annexation should be approved in order to:

1. More effectively and efficiently provide necessary governmental services to the area.

2. Minimize unincorporated "islands" within the current boundaries of an incorporated area.

3. Minimize the duplication of services by both the County and City.

4. Allow development of the properties into medium density residential units, which is their highest and best use.

5. Comply with and support the concept of infilling.

6. Avoid further suburban sprawl on agricultural land by utilizing currently undevelopable and unicorporated parcels within the current city boundaries.

7. Fight inflation and the current land-price spiral by putting more developable land in the available inventory category.

EXHIBIT "B"

SUNNYSIDE ANNEXATION

Legal Description

Commencing at the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 0° 15' East on the west line of said Section 27, also being the centerline of 90 foot wide Coffee Road, 495 feet to the POINT of BEGINNING of this description; thence continuing South 0° 15' East 621.25 feet on said sectionline - centerline; thence North 89° 16' 35" East 132.04 feet; thence North 0° 15' West 152.94 feet to the Northwest corner of Lot 28 of Sunnyside Acres, as shown on that map recorded in Volume 5 of Maps, at Page 45; thence North 74° 27' 42" East 273.30 feet to the Northeast corner of Lot 29 of said Sunnyside Acres; thence South 0° 15' East 305.78 feet along the east line of said Lot 29 to the centerline of 50 foot wide Scenic Drive; thence North 69° 14' East 140.76 feet on said centerline; thence North 0°15' East 292.38 feet to the Northeast corner of Lot 30 of said Sunnyside Acres; thence North 74° 27' 42" East on the Northerly line of Lot 31 of said Sunnyside Acres 136.65 feet to the centerline of 40 foot wide Sunnyside Avenue; thence North 0° 15' West of said centerline a distance 646.04 feet to the Northeast corner of Lot 6 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the Northwest corner of said Lot 6; thence South 0° 15' East 330.0 feet to the Southwest corner of Lot 14 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the POINT of BEGINNING.

EXHIBIT "C"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-368

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SCENIC-CLAUS ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Scenic-Claus Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated March 21, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Scenic-Claus Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

SCENIC-CLAUS ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records, said point being the center line of Scenic Drive;

1. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 47' 22" West, 1378.16 feet;

2. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 81° 17' 40" East, 526.34 feet;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 48' 30" West, 262.74 feet;

4. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 89° 21' 00" East, 655.66 feet, to the center line of 50.00 foot Claus Road;

5. thence leaving the existing City Limits and continuing along the center line of Claus Road, South 00° 47' 00" East, 1608.51 feet, to the intersection with the center line of Scenic Drive;

6. thence along the center line of Scenic Drive, South 89° 13' 00" West, 20.00 feet, to the beginning of a curve concave to the South, having a radius of 145.10 feet, a central angle of 18° 23' 00", and an Arc Length of 46.56 feet;

7. thence continuing along the center line of Scenic Drive, South 70° 50' 00" West, 245.91 feet, to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet, a central angle of 17° 57' 30", and an Arc Length of 109.70 feet;

8. thence North 01° 12' 30" West, 5.00 feet;

9. thence continuing along the center line of Scenic Drive, South 88° 48' 00" West, 769.86 feet, to the point of beginning containing 42.173 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-369

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SHACKELFORD SCHOOL ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Shackelford School Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated March 21, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Shackelford School Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SHACKELFORD SCHOOL ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 4, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the CROWS LANDING INDUSTRIAL TRACT ADDITION (45), as per description filed August 5, 1952, as Instrument 18281, Stanislaus County Records, said point being on the center line of 60.00 foot Crows Landing Road, also being the West line of Section 4.

1. thence leaving the existing City Limits along the Southern line of a 10' alley, South 89° 51' 00" East, 658.85 feet, to the center line of 50.00 foot Bowie Avenue;

2. thence along said center line of Bowie Avenue, South 00° 02' 00" East, 497.00 feet, to the center line of 60.00 foot School Avenue;

3. thence along said center line of School Avenue, North 89° 51' 30" West, 658.49 feet, to the center line of 60.00 foot Crows Landing Road;

4. thence along the center line of Crows Landing Road, North 00° 04' 30" West, 497.10 feet, to the point of beginning, containing 7.516 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 370

APPROVING THE APPLICATION FOR GRANT FUNDS UNDER THE ROBERTI-Z'BERG URBAN OPEN-SPACE AND RECREATION PROGRAM.

WHEREAS, the legislature of the State of California has enacted the Roberti-Z'berg Urban Open-Space and Recreation Program, which provides funds to certain political subdivisions of the State of California for acquiring lands and for developing facilities to meet urban recreation needs, and

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility for the administration of the program, setting up necessary procedures governing application by local agencies under the program, and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications prior to submission of said applications to the state, and

WHEREAS, said applications contain a certification that the applicant will comply with all federal, state, and local environmental, public health, relocation, affirmative action, and clearinghouse requirements and all other appropriate codes, laws and regulations prior to the expenditure of the grant funds, and

WHEREAS, the project applied for under this program must be of a high priority and satisfy the most urgent park and recreation needs with emphasis on unmet needs in the most heavily populated areas,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Approves the filing of an application for funding under the Roberti-Z'berg Urban Open-Space and Recreation Program, and

2. Certifies that said agency understands the general provisions of the agreement, and

3. Certifies that said agency has or will have sufficient funds to operate and maintain the project funded under this program, and

4. Certifies that said agency has or will have available prior to commencement of any work on the project included in this application matching money from a nonstate source, and

5. Certifies that the project included in this application conforms to the recreation element of the applicable city or county general plan, and

6. Appoints the City Manager as agent of the City of Modesto to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, payment requests, and so on which may be necessary for the completion of the aforementioned project, and

7. Appoints Elwyn L. Johnson, City Attorney, as legal counsel for said agency with authorization to sign the certification on page 1 of application.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 371

RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1978-79 TO ESTIMATE REVENUES AND APPROPRIATE FUNDS FOR THE DEVELOPMENT OF MUNCY PARK.

WHEREAS, grant funds have become available for the City of Modesto to apply for both the Roberti-Z'Berg Urban Open-Space and Recreation Program Act and the Federal Land and Water Conservation Fund Program for the development of Muncy Neighborhood Park, and

WHEREAS, in order for the City of Modesto to be eligible to apply for these grant monies, required matching funds must be appropriated;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following changes be made in the Final Budget of the City of Modesto for Fiscal Year 1978-79 to adjust revenue estimates and appropriations:

Special Fund for Capital Outlay - Fund 321

Estimated Revenues

Acct.	Title	From	To	Increase (Decrease)
270.00	State Grants	0	$ 33,658	$ 33,658
274.00	Federal Grants	$928,100	985,100	57,000

Appropriations

Acct.	Dept.	Title	From	To	Increase (Decrease)
6410.01	270	Muncy Neighborhood Park-Stage I (L&WCFP)	0	114,000	114,000
6410.02	270	Muncy Neighborhood Park-Stage I (Z'Berg)	0	33,658	33,658
60.00	800	General Reserve	517,645	452,231	(65,414)

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Z. Johnson
ELWYN Z. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-372

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS RENO AVENUE ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Reno Avenue Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated March 21, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Reno Avenue Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

RENO AVENUE ANNEXATION

ALL that portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, County of Stanislaus, State of California, described as follows;

COMMENCING at the Northwest corner of said Section 30; thence South 0°51'15" East, along the West line of said Section 30, a distance of 1319.97 feet; thence South 89°49'10" East, along the North line of Parcel "1" and Parcel "3" as shown on the map filed in Book 4 of Parcel Maps at Page 84, Stanislaus County Records, 869.11 feet to the center line of Reno Avenue and the POINT OF BEGINNING of this description; thence South 0°53'15" East along said center line 250.00 feet; thence North 89°49'10" West, along the South line of said Parcel "3" and its Easterly extension 423.54 feet to the Southwest corner thereof; thence North 0°53'15" West along the West line of said Parcel "3", a distance of 250.00 feet to the Northwest corner thereof being on the existing City Limits Line; thence South 89°49'10" East, along the North line of said Parcel "3" and its Easterly extension 423.54 feet to the point of beginning.

Contains 2.43 acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-373

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $17,609 FROM GENERAL RESERVE FOR REPLACEMENT OF THE DAVIS PARK BALLFIELD LIGHT STANDARDS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (060 800 101)	$14,387
TO:	Capital Outlay/Parks and Recreation (6368 270 321)	$14,387

These funds needed for replacement of the Davis Park Ballfield light standards destroyed by vandals.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-374

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $225 FROM GENERAL RESERVE TO PROVIDE FUNDS TO REPAIR THE CITY SEAL

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 101)	$225
TO:	City Clerk & Auditor (221 140 101)	$225

This money is needed to repair the City Seal.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** April, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-375

RE-
A RESOLUTION/ELECTING COUNCILMEMBER HARRY T. KULLIJIAN VICE MAYOR OF THE CITY OF MODESTO FOR A PERIOD OF ONE YEAR

BE IT RESOLVED by the Council of the City of Modesto that Councilmember Harry T. Kullijian is hereby re-elected Vice Mayor of the City of Modesto for a period of one year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of April, 1979, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-376

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF W.E. RUSSELL AS A MEMBER OF THE HOUSING AND COMMUNITY DEVELOPMENT NEIGHBORHOOD ADVISORY COMMITTEE NO. 2

WHEREAS, W.E. Russell was appointed as a member of the Housing and Community Development Neighborhood Advisory Committee No. 2 on October 24, 1977; and

WHEREAS, W.E. Russell has tendered his resignation as a member of the Housing and Community Development Neighborhood Advisory Committee No. 2, effective April 13, 1979; and

WHEREAS, W.E. Russell has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of W.E. Russell as a member of the Housing and Community Development Neighborhood Advisory Committee No. 2 is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to W.E. Russell for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-377

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING TO A DECISION OF THE PLANNING COMMISSION CONCERNING ZONING ON SHELDON AND CARVER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 15, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mid-Valley Engineering to a decision of the Planning Commission concerning zoning on Sheldon and Carver Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-378

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF THE MCHENRY MUSEUM FIRE ALARM SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of the McHenry Museum fire alarm system **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 15, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-379

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $900 FROM GENERAL RESERVE FOR RENTAL OF MEMORY TYPEWRITER FOR WORD PROCESSING CENTER

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 101)	$900
TO:	Equipment Rental (216 110 101)	$900

For rental of a Magna II typewriter from A.B. Dick for Word Processing Center for balance of fiscal year.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-380

A RESOLUTION ACCEPTING THE CONSTRUCTION OF UTILITY BUILDING AT REVARD PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the utility building at Revard Park has been completed by the City of Modesto after the work was started in accordance with the contract agreement dated February 6, 1978, and partially completed by Chet Cummins Construction; and

WHEREAS, the contract between the City of Modesto and Chet Cummins Construction was suspended on December 14, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of the utility building at Revard Park be accepted as complete and that notice of completion be filed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian , Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-381

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CANAL CROSSINGS AT MID LATERAL NO. 7 AT PRESCOTT ROAD AND CHEYENNE WAY AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the construction of** canal crossings at MID Lateral No. 7 at Prescott Road and Cheyenne Way **has been completed by** The Flintkote Company

in accordance with the contract agreement dated October 9, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of canal crossings at MID Lateral No. 7 at Prescott Road and Cheyenne Way **be accepted from said contractor,** The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $159,600 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-382

A RESOLUTION ACCEPTING THE REMODELING OF LIFT STATION AT THOUSAND OAKS PARK AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the** remodeling of lift station at Thousand Oaks Park **has been ccmpleted by** Brown Sheet Metal and Mechanical, Inc.

in accordance with the contract agreement dated May 15, 1978.

NOW, THEREFORE, BE IT RESOLVED that the remodeling of lift station at Thousand Oaks Park **be accepted from said contractcr,** Brown Sheet Metal and Mechanical, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $105,996 **as provided in the contract, be authorized.**

The fcregcing resolutien was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-383

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 9-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (JIM LAMATIS)

WHEREAS, on April 24, 1979, the City Council introduced Ordinance No. 1821 - C. S. giving approval to a project relating to an amendment to Section Map 9-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1, , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 9-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Light Industrial Zone, M-1 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-384

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (220).

WHEREAS, a verified application for an amendment to Section 24-3-9 of the Zoning Map was filed by Orangeburg Plaza Group on February 9, 19 79, to reclassify from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of Lot 16, Idaho Colony in the Northeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

R-1 to P-D

All of the north 552.03 feet of the west 235 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909, in Volume 4 of Maps, at page 21, Stanislaus County Records.

R-2 to P-D

All of the north 552.03 feet of the east 420.00 feet of said Lot 16 of the Idaho Colony as per map filed April 27, 1909, in Volume 4 of Maps, at page 21, Stanislaus County Records.

WHEREAS, after public hearing held on March 19, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone density conforms to the Lakewood Neighborhood Zoning and Development Plan.

2. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments.

WHEREAS, after a public hearing held on April 24, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Orangeburg Plaza Group for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1822-C.S. on the 24th day of April, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D(220).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (220), is hereby approved in accordance with the plot plans titled "Site Plan Orangeburg Plaza Apts." and "Orangeburg Plaza", as amended in red on their faces, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall be in accordance with the above referred to revised plans,as amended in red on their faces, stamped approved by Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

5. That all trash for the apartments shall be maintained in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. They shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. That building plans for the zero lot line units shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

7. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

8. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the southern property line of the apartments.

9. That prior to occupancy of the premises, a six-foot high solid decorative masonry wall shall be constructed along the southern boundary of the zero lot line project.

10. That all signs of the apartment complex shall comply with the sign requirements of the R-2 Zone.

11. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

12. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1803 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

13. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

14. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

15. That the applicant shall record a "Notice of Conditions" form indicating that this resolution has been issued and contains conditions affecting use of the property.

16. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Claus Road to a major street standard in accordance with the requirements of the Director of Public Works.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (220):

That the entire construction program be accomplished in two phases as follows:

Phase I, the 36 zero lot line units to commence construction by August 1, 1981, and be completed by August 1, 1982.

Phase II, the apartment complex to commence construction by August 1, 1982, and be completed by August 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (220) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-385

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (ORANGEBURG PLAZA GROUP)

WHEREAS, on April 24, 19 79, the City Council introduced Ordinance No. 1822 - C. S. giving approval to a project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(220), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(220).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-386

A RESOLUTION AMENDING MODESTO CITY COUNCIL RESOLUTION NO. 68-773 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(45). (MODESTO RACQUET CLUB)."

WHEREAS, on August 12, 1968, the City Council approved an amendment to Section 16-3-9 of the Zoning Map creating Planned Development Zone, P-D(45), and

WHEREAS, the Development Plan for P-D(45), which permits additions to the Modesto Racquet Club's recreational facilities located on the south side of Norwegian Avenue east of McHenry Avenue in the City of Modesto, was approved by the City Council on August 12, 1968, and

WHEREAS, complaints from the surrounding neighborhood regarding a series of public dances resulted in the City Council limiting the type of dances permitted at the Modesto Racquet Club in 1974 and clarifying the hours of operation permitted at the Modesto Racquet Club in 1978, and

WHEREAS, additional neighborhood complaints were raised in 1978, focusing on noise as a result of late evening use by groups other than the Modesto Racquet Club members, and

WHEREAS, these concerns were discussed by the Modesto Racquet Club officials, concerned residents, City staff, and the City Council to arrive at a compromise set of conditions for the future conduct of Modesto Racquet Club activities, and said compromise was considered by the City Council at its meeting held in the Council Chambers, City Hall, 801 11th Street, Modesto, California, on January 2, 1979, and

WHEREAS, this matter was further considered by the City Council at its meeting on January 23, 1979, at its regular meeting place set forth above, at which time it adopted Resolution No. 79-74 entitled "A Resolution Initiating An Amendment To Planned-Development Zone, P-D(45) (Modesto Swim And Racquet Club), And Referring Said Proposed Amendment To The Planning Commission For Consideration And Recommendation. (Council Initiatied)", and

WHEREAS, a public hearing was held by the Planning Commission on March 19, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said Planning Commission meeting referred to above, the Planning Commission by Resolution No. 79-71 found and determined that an amendment to P-D(45) as initiated by the City Council to amend the list of permitted uses and to clarify the use of facilities, amend the hours of operation, and provide for the monitoring of evening hours of operation at the Modesto Racquet Club is required by public necessity, convenience, and general welfare to enable this facility to continue serving its worthwhile public function while diminishing the adverse impact on the neighborhood of the noise which is generated, and

WHEREAS, the Council considered the recommendations of the Planning Commission at its meeting held on April 24, 1979, at 7:30 o'clock p.m., in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and it finds and determines that the recommendations of the Planning Commission to amend Planned-Development Zone, P-D(45) to amend the list of permitted uses, and to clarify the use of facilities, amend the hours of operation, and provide for

the monitoring of evening hours of operation at the Modesto Racquet Club is required by public necessity, convenience and general welfare for the reason set forth in Planning Commission Resolution No. 79-71 and quoted above, and

WHEREAS, the Council has introduced Ordinance No. 1823 -C.S. on the 24th day of April, 1979, to amend the list of permitted uses in Planned-Development Zone, P-D(45),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 68-773 is hereby amended to add Conditions No. 9, 10 and 11 thereto to read as follows:

9. Use of Facilities. All of the facilities in P-D(45) may be used for social, recreational, athletic or educational classes, instruction, tournaments, or other related activities by the Modesto Racquet Club and any other private club or group or individual, subject to the following limitations:

   (a) Fund raising events shall be limited to nonprofit organizations.

   (b) No dances or dance band concerts that are open to the general public or that are advertised by any news media shall be permitted. Said dances and concerts shall be limited to Modesto Racquet Club members and invited guests; private club or group members and invited guests; or an individual and invited guests.

10. Hours of Operation. All activities at the Modesto Racquet Club, excepting maintenance and cleanup activities by or under the direct control of the Modesto Racquet Club, shall observe the following hours of operation:

   (a) All activity terminated by 11 p.m., parking lot cleared by 11:30 p.m.; Sunday through Thursday evenings.

   (b) All activity terminated by midnight, parking lot cleared by 12:30 a.m.; Friday and Saturday evenings.

   (c) Exception to above -- all activity terminated by 1 a.m., parking lot cleared by 1:30 a.m.; New Years Eve.

11. Monitoring of Hours of Operation. An employee under direct control of the Modesto Racquet Club shall monitor as follows every event with activities later than 9 p.m. to insure that all conditions and restrictions applicable to the event are being met:

(a) Event with Music - An employee shall be present from 9 p.m. until all activities are terminated, including the clearing of the parking lot.

(b) Event with no Music - An employee shall be present from one hour before scheduled close of activities to time when activities are terminated, including the clearing of the parking lot.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 68-773 approved by the City Council on August 12, 1968, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian and Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-387

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES WRIGHT FOR RENEWAL OF CONTRACT TO OPERATE A FOOD CONCESSION AT BEARD BROOK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles Wright

for renewal of contract to operate a food concession at Beard Brook Park for one year (5-1-79 to 4-30-80)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian , Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-388

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MID-VALLEY ENGINEERING TO PERFORM DESIGN WORK FOR RECONSTRUCTION OF MORRIS AVENUE - COLLEGE TO MCHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mid-Valley Engineering **for** performing design work for reconstruction of Morris Avenue - College to McHenry Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian , Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 389

A RESOLUTION AMENDING PROCEDURES FOR IMPLEMENTING THE SCHOOL SITE AND FACILITIES TAX OF THE CITY OF MODESTO.

WHEREAS, Section 8-2.1008 of the Modesto Municipal Code provides that the Council shall by resolutions adopted from time to time set forth conditions to be required and the procedures to be used in determining disbursement of and accounting for monies from the School Site and Facilities Tax Fund, which fund is established by Article 10 of Chapter 2 of Title VIII of the Modesto Municipal Code, and

WHEREAS, the Council, by Resolution No. 77-882, adopted on August 22, 1977, adopted procedures entitled "Procedures for Implementing School Site and Facilities Tax", and

WHEREAS, the Council desires to amend said "Procedures for Implementing School Site and Facilities Tax" by amending the section therein entitled "Advisory Committee" to read as follows:

"ADVISORY COMMITTEE

By September 12, 1977, each elementary school district shall appoint one of its elected officials (and one alternate elected official) to serve on the Advisory Committee established by Modesto Municipal Code Section 8-2.1010. The Modesto Board of Education representative shall represent both the Modesto City School District and the Modesto High School District. In addition, in accordance with said Section 8-2.1010, the Mayor, with the concurrence of the Council, shall appoint one

Councilmember to serve as a nonvoting member of said Committee. The Mayor, with the concurrence of the Council, shall also appoint one person recommended by the home building industry to sit with the Committee as a nonvoting industry spokesperson to assist the Committee in making its recommendations. Four members shall constitute a quorum. A majority of four votes shall be necessary for the Committee to make recommendations. All advisory Committee meetings shall be open to the public. The Committee shall annually elect a chairperson and vice chairperson, with terms of office from December 1 of each year to November 30 of the following year. The Committee may adopt any further rules and regulations necessary to conduct its meetings."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-390

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A $501,240 UMTA GRANT OFFER FOR FIVE NEW TRANSIT COACHES AND RELATED ITEMS

WHEREAS, UMTA has approved an application by the City of Modesto for an Operating Assistance Grant for the purchase of five buses, fare collection equipment, communication equipment, and passenger shelters; and

WHEREAS, the total federal funding from this grant offer is $501,240, the local share of $125,310 being provided from the Local Transportation Fund.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Garth Lipsky, City Manager, is hereby authorized to execute the contract pertaining to the grant application, Project No. CA-05-0030.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-391

A RESOLUTION APPROVING THE FINAL MAP OF THE UNION SQUARE SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Rule Enterprises, a California corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.015 acres, known as the Union Square Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 16th day of November, 1976, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Union Square Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-392

A RESOLUTION APPROVING THE FINAL MAP OF THE GREENWOOD ESTATES NO. 6 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Weeks Real Estate, a California corporation, and Stewart and Jasper Poultry Ranch

~~Is~~ (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 11.539 acres, known as the Greenwood Estates No. 6 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 16th day of November, 19 76, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Greenwood Estates No. 6 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-393

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND OLUP AND VIOLA NELSON, AND MELFIN G. NELSON AND LARRY DEAN NELSON FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1025 KANSAS AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Olup Nelson and Viola Nelson, Melfin G. Nelson and Larry Dean Nelson **for** sewer service to property outside City limits at 1025 Kansas Avenue, located on the north side of Kansas Avenue between Emerald Avenue and Lone Palm Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-394

A RESOLUTION SETTING TIME AND PLACE FOR HEARING REGARDING AMENDMENTS TO CONFLICT OF INTEREST CODE FOR THE POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 15, 1979 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** amendments to Conflict of Interest Code for the Police Department.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian , Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 395

A RESOLUTION GRANTING APPROVALS TO THE EL CONCILIO DE STANISLAUS COUNTY FOR THE SPANISH SPEAKING FOR THE USE OF BEARD BROOK PARK AND A PARADE TO CELEBRATE CINCO DE MAYO ON MAY 5, 1979, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the El Concilio de Stanislaus County for the Spanish Speaking (hereinafter referred to as El Concilio) has filed requests with the City Council for permission to use Beard Brook Park as part of its May 5th celebration of Cinco de Mayo, and

WHEREAS, El Concilio has also filed requests relating to its parade in connection with its May 5th celebration of Cinco de Mayo, and

WHEREAS, the Council deems it appropriate to grant approvals to the El Concilio relating to its May 5th celebration of Cinco de Mayo, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the use of Beard Brook Park by El Concilio on May 5, 1979:

1. The El Concilio may use Beard Brook Park on Saturday, May 5, 1979, from 6:00 o'clock a.m. to 10:00 o'clock p.m.

2. The park road at the south end of the park at Morton Boulevard may be closed to all traffic except emergency vehicles on Saturday, May 5, 1979, from 6:00 o'clock a.m. to 10:00 o'clock p.m., subject to the approval of the Chief of Police of the City of Modesto. The El Concilio shall provide, at their own expense, necessary security in Beard Brook Park, and security to maintain the park road closure referred to herein.

3. The City of Modesto will provide the necessary barricades to close the park road referred to in No. 2 above. Barricades to be installed and taken down by El Concilio.

4. The City will also provide extra trash containers in Beard Brook Park on Saturday, May 5, 1979.

5. The El Concilio may erect a stage in Beard Brook Park for its Cinco de Mayo celebration, said stage to be removed from said park by 12:00 o'clock noon, on Sunday, May 6, 1979. All expenses in connection with the erection and removal of said stage shall be borne by El Concilio.

6. The City hereby grants permission to El Concilio to allow vendors to sell food, beverages, games and other small items in Beard Brook Park on Saturday, May 5, 1979, and El Concilio agrees to determine from each such vendor that they have the necessary business license from the City permitting them to conduct the business of selling the items referred to herein. El Concilio will deny permission to any vendor who has not obtained the necessary City of Modesto business license.

7. The El Concilio will also inform each of the vendors who are permitted to sell food and beverages in Beard Brook Park on Saturday, May 5, 1979, that they must comply with the provisions of the City of Modesto's Fire Prevention Code, which prohibits the use of liquid gas and/or liquid fuel in connection with the cooking and warming of foods and beverages.

8. In the event of any disagreement over the right of any person or organization to use Beard Brook Park, the City's Director of Parks and Recreation shall have the right to make the final determination.

9. The El Concilio shall remove any excess trash and debris from Beard Brook Park which is generated as a result of the Cinco de Mayo celebration, and which cannot be placed in the trash containers placed in the park. The removal of any excess trash and debris which cannot be placed in the trash containers shall be completed by the El Concilio by 12:00 o'clock noon on Sunday, May 6, 1979.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the El Concilio's May 5, 1979, Cinco de Mayo parade:

1. The City's reviewing stand with canvas top will be placed on "I" Street close to the cannon in the Courthouse Park by City personnel, on Friday, May 4, 1979, for the use for the parade on Saturday, May 5, 1979.

2. The El Concilio is granted permission to use a public address system at the reviewing stand. Said public address system to be furnished by the El Concilio.

3. The following parade route is approved as the parade route to be used on May 5, 1979, subject to approval of the Chief of Police and Director of Parking and Traffic; starting at 10th and H Streets; north on 10th to J Street; east on J Street to 12th Street; south on 12th to I Street; west on I to 11th Street; south on 11th to H Street; then dismantle.

4. In connection with said parade route referred to above in paragraph No. 3, the City will supply all street barricades to close the intersections of the streets involved, and at the end of the parade the City will remove all of said barricades.

BE IT FURTHER RESOLVED that the following conditions shall apply to the requests of the El Concilio relating to all of its Cinco de Mayo celebration events

1. The City of Modesto shall indemnify and hold harmless the El Concilio from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the ordinary and customary public use of City property and facilities, or which may arise out of the negligent acts or omissions of any officer, agent, or employee of the City of Modesto.

2. The El Concilio shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the El Concilio's use of Beard Brook Park, and the streets and areas adjacent thereto.

3. The El Concilio shall furnish to the City Clerk current and valid certificates of insurance evidencing public liability and property damage insurance as shall protect the El Concilio and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the El Concilio's use of Beard Brook Park and the streets adjacent thereto.

The amount of public liability insurance shall be as follows: Public Liability insurance in an amount not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one occurrence because of bodily injury, sickness, and disease including death therefrom (hereinafter called "bodily injury"), sustained by any one person; and Five Hundred Thousand and no/100ths ($500,000.00) Dollars as the result of one or more occurrences because of "bodily injury", and insurance in an amount of not less than One Hundred Thousand and no/100ths ($100,000.00) Dollars as the result of any one or all occurrences for property damage.

The El Concilio's liability policies, and the valid certificates of insurance which are to be furnished to the City Clerk shall contain contractual liability provisions stating that the policies are extended to cover the liability assumed by the El Concilio under the terms of this resolution, and the liability policies, and the certificates of insurance to be furnished to City, shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk of the City of Modesto.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the El Concilio with a copy of this resolution. The El Concilio shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of April, 1979, by Councilmember

Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-396

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $171,791 FROM GENERAL RESERVE TO WOODLAND NEIGHBORHOOD PARK/LAND ACQUISITION

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60-00 270 321)	$171,791
TO:	Woodland Neighborhood Park/ Land Acquisition	$171,791

Money needed to complete Woodland Neighborhood Park Land Acquisition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-397

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AIR PACIFIC FOR COMMUTER AIRLINE SERVICE BETWEEN MODESTO AND SAN FRANCISCO TO BEGIN SERVICE MAY 1, 1979

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Air Pacific

for commuter airline service between Modesto and San Francisco to begin May 1, 1979

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** April, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian , Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-398

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY ST. PAUL'S EPISCOPAL CHURCH TO A PLANNING COMMISSION DECISION CONCERNING A FINANCIAL INSTITUTION AND CURBS AND GUTTERS IN P-D(147)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 12, 1979, at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by St. Paul's Episcopal Church to a Planning Commission decision concerning a financial institution and curbs and gutters in P-D(147).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-399

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN VINTAGE GROVE SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Vintage Grove Subdivision **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 22, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-400

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RECONSTRUCTION OF DOWNTOWN ALLEYS IN BLOCKS 56, 63, 84, 85, 86, 92, 93 AND 94

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for reconstruction of downtown alleys in Blocks 56, 63, 84, 85, 86, 92, 93 and 94 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 15, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYZE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-401

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF AIRCRAFT PARKING RAMP DRAIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of aircraft parking ramp drain **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 15, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 402

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1978-79 TO PROVIDE ADDITIONAL FINANCING FOR THE CONSTRUCTION OF THE AIRCRAFT PARKING RAMP DRAIN.

WHEREAS, the Final Budget of the City of Modesto for fiscal year 1978-79 provides for construction of an Aircraft Parking Ramp Drain in the Airport Fund (Fund 230), in the amount of $30,000, and

WHEREAS, the estimated cost of completing said project has increased $6,810 from $30,000 to $36,810, and

WHEREAS, the State Department of Transportation, Division of Aeronautics, will provide financing up to 50% of the cost increase,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following changes be made in the Final Budget of the City of Modesto for fiscal year 1978-79 to adjust revenue estimates and appropriations:

	From	To	Increase
A. Airport Fund (No. 230)			
1. Revenue			
Account No. 941 Interfund Transfer In	361,044	367,854	6,810
2. Appropriations			
Account No. 6475 Aircraft Parking Ramp Drain	30,000	36,810	6,810
B. Special Aviation Fund (No. 306)			
1. Revenue			
Account No. 270 State Grant	15,000	18,405	3,405
Account No. 941 Interfund Transfer In	173,413	176,818	3,405

	From	To	Increase [Decrease]
2. Appropriations			
Account No. 940 Interfund Transfers Out	348,816	355,626	6,810
C. Special Fund for Capitol Outlay (No. 321)			
1. Appropriations			
Account No. 60 General Reserve	516,796	513,391	[3,405]
Account No. 940 Interfund Transfer Out	502,413	505,818	3,405

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-403

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN CARPENTER ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extension in Carpenter Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 22, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-404

A RESOLUTION ACCEPTING THE BID OF GENERAL ELECTRIC COMPANY FOR THE PURCHASE OF TEN PORTABLE RADIOS AND ONE BATTERY CHARGER

WHEREAS, Resolution No. 79-250 **, adopted by the Council of the City of Modesto on** March 27, 1979 **, approved the plans and specifications for the** purchase of ten portable radios for the Police Department

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of ten portable radios for the Police Department

were opened at 2:00 p.m. on April 17, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** General Electric Company in the amount of $10,461.14

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of General Electric Company in the amount of $10,461.14

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-405

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSION AT EAST ORANGEBURG AVENUE AND CLAUS ROAD

WHEREAS, Resolution No. 79-283 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** construction of waterline extension at East Orangeburg Avenue and Claus Road **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of waterline extension at East Orangeburg Avenue and Claus Road **were opened at** 11:00 a.m. on April 24, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin Pipeline, Inc. in the amount of $28,498.80

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $28,498.80

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-406

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (WOODLAND-BARIUM)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on March 13, 19 79, duly adopted Resolution No. 79-217 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, May 1, 19 79, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 199, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

11-17-78
Corrected 2-12-79

WOODLAND-BARIUM ANNEXATION

All that real property in the State of California, being a portion of the Northeast quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Western line of the NORTHWEST ADDITION (44), as per description filed December 10, 1951, as Instrument 28460, Stanislaus County Records, said point being on the North line of Section 30, and the center line of Woodland Avenue,

1. thence along the existing City Limits and a Western line of said ADDITION (44), South 43° 29' 30" East, 315.10 feet;

2. thence leaving the existing City Limits, along a line at right angles to the Southern Pacific Railroad Right-of-Way, South 46° 30' 30" West, 120.00 feet, to the center line of abandoned 40.00 foot Michigan Avenue;

3. thence along the center line of said road, South 00° 42' 30" East, 62.47 feet;

4. thence along the North line of the GRANGE TRACT, as per map filed in Volume 14 of Maps, Page 5, Stanislaus County Records, North 89° 57' 30" West, 939.83 feet, to the center line of 60.00 foot Barium Road;

5. thence continuing along the center line of said road, North 00° 33' 30" West, 375.54 feet, to the center line of Woodland Avenue, said point being on the North line of Section 30;

6. thence along the center line of said road, South 89° 49' 30" East, 812.91 feet, to the point of beginning containing 8.059 Acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on May 1, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: May 1, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-407

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (KANSAS AVENUE NO. 3)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on March 13, 19 79, duly adopted Resolution No. 79-218 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, May 1, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 200, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Muratore,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

March 1, 1979
November 6, 1978

KANSAS AVENUE NO. 3 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 25, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the WOODLAND-MERCY ADDITION (388), as per description filed November 29, 1978, as Instrument 34754, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said ADDITION (388), South 62° 02' 00" East, 480.36 feet;

2. thence continuing along the existing City Limits and the Southern line of said ADDITION (388), South 87° 27' 00" East, 212.52 feet;

3. thence leaving the existing City Limits, South 01° 00' 00" East, 1234.93 feet, to the center line of 40.00 foot Kansas Avenue;

4. thence along the center line of Kansas Avenue, South 89° 18' 00" West, 1167.21 feet;

5. thence North 01° 00' 00" West, 1771.41 feet;

6. thence South 62° 02' 00" East, 611.28 feet, to the point of beginning, containing 39.125 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on May 1, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Elliott, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: May 1, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-408

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE STANDIFORD AVENUE-TULLY TO MC HENRY STREET WIDENING PROJECT (L.R. VAN HORN, JR. ET UX)
(Name of Project and Property Owners Name)

WHEREAS, on April 3, 19 79, the Council of the City of Modesto by Resolution No. 79-294 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on May 1, 1979, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of the widening of a portion of Standiford Avenue located between Tully Road and McHenry Avenue in the City of Modesto, as part of the Standiford Avenue-Tully to McHenry Street Widening Project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized pursuant to Sections 37350.5, 37351, 37353 and 40404 of the Government Code and by Section 1240.510 of the Code of Civil Procedure, of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The real property which is hereinafter described consists of .13 acres, more or less, located at 800 and 810 Standiford Avenue in the City of Modesto and is necessary for the proposed project

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that portion of the Southwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Interior Quarter corner of said Section 8; thence along the East-West quarter section line, North 89° 09' West, 80.00 feet; thence South 0° 54' West, 30.01 feet to the South line of an existing road known as Standiford Avenue, being the Northeast corner of property conveyed to L. R. Van Horn, Jr., et ux, by Deed dated November 20, 1968 in Volume 2248, at Page 507, Stanislaus County Records, and the true point of beginning of this description; thence along the South line of said Standiford Avenue, North 89° 09' West, 292.25 feet; thence South 0° 54' East, 20.01 feet to a point on a line which is parallel with and 50 feet, measured at right angles, Southerly from said East-West quarter section line; thence along said parallel line, South 89° 09' East, 127.25 feet to a tangent curve; thence along said tangent curve, being concave to the North; having a Radius of 5050 feet, a Central Angle of 1° 48'39" and an Arc Length of 159.60 feet to a point of reverse curvature; thence along said reverse curve, being concave to the South, having a Radius of 4950 feet, a Central Angle of 0° 03' 41", and an Arc Length of 5.30 feet to the East line of Van Horn property; thence along said East line, North 0° 54' West, 17.31 feet to the point of beginning.

Subject to a 15 foot Modesto Irrigation District Easement, recorded January 15, 1964 in Volume 1914, at Page 589, Stanislaus County Records.

Containing 0.13 of an acre, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roger Pumphrey
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 409

A RESOLUTION AMENDING A PORTION OF THE DEVELOPMENT PLAN OF PHASE III OF P-D(21) TO ALLOW CONSTRUCTION OF PROFESSIONAL OFFICES IN PLACE OF APPROXIMATELY 59 APARTMENT UNITS. (TULLY MANOR INVESTMENT TRUST)

WHEREAS, City Council Ordinance No. 748-C.S., effective October 27, 1976, granted P-D(21) to the Pacific Investment Company (Stone Bros. and Associates) to allow commercial, professional office, multiple family, church, and other uses on property on the south side of Standiford Avenue and on both side of Tully Road, and

WHEREAS, City Council Resolution No. 65-502, adopted on September 13, 1965, approved the development plan and schedule for P-D(21) and also contained the conditions of approval for the development of said uses on the P-D(21) property, and

WHEREAS, a portion of Phase III consisting of a 2.13 acre portion of P-D(21) located on the north side of Woodrow Avenue, east of Tully Road is approved for R-3 density apartments, and

WHEREAS, an application for an amendment to P-D(21) to allow construction of professional offices in place of the R-3 density apartments approved for said portion of P-D(21) was filed by Tully Manor Investment Trust on January 24, 1979, and

WHEREAS, a public hearing on said requested amendment to P-D(21) was held by the Planning Commission on February 26, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, at which hearing evidence, both oral and documentary was received and considered, and said hearing having been closed, the matter was carried over to March 19, 1979, to allow for preparation of conditions of approval, and

WHEREAS, on March 19, 1979, the Planning Commission adopted Resolution No. 79-60 determining that an amendment to P-D(21) to allow construction of professional offices in place of R-3 density apartments on the above referred to 2.13 acre portion of Phase III of P-D(21) is required by public necessity, convenience, and general welfare for the following reasons:

1. The requested office development represents a primary daytime use which would not create undesirable traffic and noise to the detriment of residential areas to the east and southeast.

2. The office development would complete the P-D(21) Zone with a compatible land use intensity transition between R-1 development and commercial office development on Tully Road.

WHEREAS, a public hearing was held on May 1, 1979, by the Council of the City of Modesto, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California to consider the application of Tully Manor Investment Trust and the recommendation of the Planning Commission, and at said hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Council finds and determines that the requested amendment to P-D(21) to allow construction of professional offices in place of R-3 density apartments on the above referred to 2.13 acre portion of Phase III should be approved for the reasons set forth in Planning Commission Resolution No. 79-60, and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 2.13 acre portion of P-D(21) located on the north side of Woodrow Avenue, east of Tully Road be approved for professional office development in place of R-3 density apartments. Said professional office development to be constructed

in accordance with the plan titled "Site Plan - Tully Manor Professional Plaza-Final Phase" as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the east property line.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this resolution of approval has been issued and that it contains conditions affecting the use of the above-described property. (Copies of the approved form are available at the Modesto Planning and Community Development Department.)

5. That all curbcuts serving two-way driveways shall be widened to 41 feet in width.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That prior to occupancy of the premises, an six-foot high solid decorative masonry wall shall be constructed along the east boundary of the property adjacent to residential zoning.

8. That all signs shall comply with the sign requirements of the P-O Zone.

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

BE IT FURTHER RESOLVED that Phase III of Section 2, entitled "Development Schedule", of City Council Resolution No. 65-502, entitled "A Resolution Approving A Development Plan For Planned-Development Zone, P-D(21), (Pacific Investment Company)" be and is hereby amended to read as follows:

> "Phase III shall include an area of approximately 2.13 acres for business-professional office development on the north side of Woodrow Avenue east of Tully Road and an area of approximately 1.5 acres for multiple-family on the south side of Standiford Avenue west of the north-south sixty (60') foot collector street. Construction shall be completed not later than January 1, 1983."

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being

duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Siefkin, Mayor Hensinger

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-410

A RESOLUTION APPROVING THE FINAL MAP OF THE DUTCHOLLOW NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Paul M. Zagaris and Liberty M. Zagaris, husband and wife,

XX (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 23.181 acres, known as the Dutchollow No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of July, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Dutchollow No. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-411

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH HOWK WELL & EQUIPMENT COMPANY, INC. TO INSTALL A SUBMERSIBLE PUMP AND MOTOR IN THE EXISTING WELL AT MANCINI PARK

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the installation of a submersible pump and motor in the existing well at Mancini Park is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Howk Well & Equipment Company, Inc. to install a submersible pump and motor in the existing well at Mancini Park for a total cost of $4,965.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-412

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DENNIS SIMMS FOR THE LEASE OF THE FORMER SIMMS HOUSE, 645 N. McCLURE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Dennis Simms

for the lease of the former Simms house, 645 N. McClure Road, part of the proposed Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 413

A RESOLUTION REQUESTING THE EMPIRE FIRE PROTECTION DISTRICT OF STANISLAUS COUNTY TO EXTEND THE TERM OF ITS AGREEMENT WITH THE CITY OF MODESTO FOR PROVIDING RESPONSE SERVICE AND EQUIPMENT FOR AIRCRAFT EMERGENCIES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD.

WHEREAS, on November 10, 1969, the Empire Fire Protection District of Stanislaus County, hereinafter referred to as "District" and the City of Modesto, hereinafter referred to as "City" entered into an agreement whereby District agreed to provide response service and equipment for aircraft emergencies at the City's Modesto City-County Airport/Harry Sham Field, hereinafter referred to as "Airport", and

WHEREAS, on January 16, 1978, said agreement referred to above was amended to provide procedural changes, together with the inclusion of a cutoff date, relating to the services referred to above by the District at the Airport, of June 30, 1979, and

WHEREAS, the City's Airport Capital Improvement Budget, in conjunction with a Federal Aviation Administration Grant, called for construction of a new fire station at the Airport during early 1979, however due to the need for an extensive study of the practicality of solar heating for said new fire station, it will not be possible to complete construction thereof until approximately February, 1980, and

WHEREAS, until the City's fire station at the Airport is completed, the City desires to continue receiving response service and equipment for aircraft emergencies at its Airport, and desires to continue having such service provided by District,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby requests the Board of Directors of District to extend the cutoff date for the services it provides for response service and equipment for aircraft emergencies at City's Airport from June 30, 1979, until March 15, 1980, or until such time as the city's new fire station at the Airport can begin operation, whichever occurs first.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 414

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN HOLD HARMLESS TRAINING AGREEMENTS FOR THE POLICE DEPARTMENT.

WHEREAS, the Modesto Police Department presently has two special teams, the Hostage Negotiating Team and the Special Emergency Reaction Team, that have been formed to handle special emergency circumstances requiring police action, and

WHEREAS, because of the unique nature of the training needed to keep both teams in complete readiness to respond, it is often desirable to conduct training exercises on private property where old buildings are available or where the terrain is conducive to good training, and

WHEREAS, occasionally it is desirable to provide training on private property for other police department personnel, and

WHEREAS, most property owners require, as a condition of allowing use of their property for such training exercises, an agreement that would hold them harmless from any damage to property or injury to personnel that might arise out of such training exercises,

NOW, THEREFORE, BE IT RESOLVED that the City Manager, be authorized, from time to time, to sign hold harmless training agreements for the Police Department to conduct training exercises on private property.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979,

by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Curon
ELWYN L. JOHNSON, City Attorney

RESCINDED
1992-349
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION NO.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-475

A RESOLUTION SETTING A MILEAGE RATE OF 23¢ PER MILE FOR USE OF PERSONAL CARS ON CITY BUSINESS UP TO 1,000 MILES PER MONTH AND 19¢ PER MILE PER MONTH OVER 1,000 MILES PER MONTH AND SETTING A MONTHLY RATE OF $70.00 PER MONTH FOR RECREATION SUPERVISORS FOR USE OF PERSONAL CARS ON CITY BUSINESS.

BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes a mileage rate of 23¢ per mile for use of personal cars on City of Modesto business, up to 1,000 miles per month, effective July 1, 1979. Mileage recorded over 1,000 miles in any one month shall be reimbursed at a mileage rate of 19¢ per mile, effective July 1, 1979.

BE IT FURTHER RESOLVED by the Council that it hereby authorizes a monthly rate of $70.00 per month for Recreation Supervisors for use of personal cars on City of Modesto business, effective July 1, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-416

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 2-3-8 OF THE ZONING MAP (JWJ DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 2-3-8 of the Zoning Map to rezone from R-1 to R-2 and from R-1 to P-D(222) to allow zero-lot line subdivision, property located on the south side of Pelandale west of Dale Road **the following described property:**

SEE ATTACHED SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-105 and 79-106 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 2-3-8 **of the Zoning Map be set for** June 5, 1979 at 4:00 p.m. **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All certain real property situate in a portion of the East half of the Southwest quarter of the Southeast quarter of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows:

Commencing at the East quarter-quarter corner of said Section 2; said point being the centerline intersection of Dale Road and Pelandale Avenue; thence South 89°57'00" West along the centerline of said Pelandale Avenue and quarter-quarter section line, 1420.67 feet to the Point of Beginning; thence leaving said centerline the following six (6) courses and distances;

South 0°18'23" West 144.00 feet,
North 89°57'00" East 100.00 feet,
South 0°18'23" West 261.28 feet,
North 89°41'37" West 395.00 feet,
North 59°41'23" West 40.00 feet, and
North 89°41'37" West 230.72 feet to the

intersection with the Easterly line of that certain parcel of land entitled "Country Classic No. 2" as shown on the map filed in Volume 27 of Maps at page 64, Stanislaus County Records; thence North 0°18'10" East along said Easterly line a distance of 381.17 feet to the intersection with the quarter-quarter section line of said section and the center line of Pelandale Road; thence North 89°57'00" East along said quarter-quarter section line and said center line a distance of 560.34 feet to the point of beginning.

Containing 5.67 acres of land more or less.

SCHEDULE "A"
JWJ DEVELOPMENT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-417

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 25-3-9 AND 26-3-9 OF THE ZONING MAP (RULE ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Sections 25-3-9 and 26-3-9 of the Zoning Map to rezone from R-1 to P-D(223) to allow a 217 unit two-story residential apartment development, property located at the northwest corner of Lincoln and Yosemite Avenues, the following described property:

SEE ATTACHED SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-108 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Sections 25-3-9 and 26-3-9 of the Zoning Map be set for June 5, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the Southeast Quarter of Section 26 and the Southwest Quarter of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the southwest corner of said Section 25; thence North 89°34'25" East, along the south line of said Section 25, a distance of 20.00 feet to the centerline intersection of Yosemite Boulevard and Lincoln Avenue; thence North 0°32'27" West along said centerline of Lincoln Avenue a distance of 543.58 feet; thence North 89°56'32" West 1005.16 feet to a point on the east line of the West Half of the West Half of the East Half of the Southeast Quarter of said Section 26; thence South 0°32'57" East along said east line a distance of 542.80 feet to said centerline of Yosemite Boulevard; thence South 89°53'12" East along said centerline a distance of 985.10 feet to the point of beginning.

Containing 12.53 Acres

SCHEDULE "A"
RULE ENTERPRISES

MODESTO CITY COUNCIL
RESOLUTION NO. 79-418

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (RAY MILLER)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from C-1 and R-2 to P-D(224) to allow existing commercial/office development and construction of an 11-unit 2-story residential condominium property located on the south side of E. Fairmont west of Coffee, the following described property:

All that portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

R-2 to P-D

All of Parcel 1 as shown on the map filed in Book 32 of Parcel Maps at Page 201 in the Stanislaus County Records, including also the Southerly 10.00 feet of Fairmont Avenue immediately adjacent to said Parcel 1.

C-1 to P-D

All of Parcel 3 as shown on the map filed in Book 32 of Parcel Maps at Page 201, in the Stanislaus County Records, including also the Westerly 45.00 feet of Coffee Road immediately adjacent to said Parcel 3. ; and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-102 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for May 22, 1979 at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-419

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (ROLAND D. LOGAN)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 16-3-9 of the Zoning Map, to rezone from R-1 to P-O, property located on the northwest corner of E. Granger Avenue and Honeysuckle Drive **the following described property:**

SEE ATTACHED SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-103 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 **of the Zoning Map be set for** May 22, 1979, at 7:30 p.m., **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL THAT PORTION of the Southeast quarter of the Southwest quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 16 and being in the centerline of a 40-foot road known as Granger Avenue; running thence South 89° 37' East along the South line of the Southeast quarter of the Southwest quarter of said Section 16 and being in the centerline of said Granger Avenue, a distance of 150 feet to the Southeast corner of land conveyed to Edgar Landes and wife by Deed recorded April 14, 1949, as Series No. 7911; thence continue South 89° 37' East along the South line of the Southeast quarter of the Southwest quarter of said Section 16 and being in the centerline of said Granger Avenue, a distance of 13 feet to the true point of beginning of this description; thence North 0° 47' West parallel to and distant 13 feet East from the East line of the land conveyed to Landes, a distance of 140 feet; thence South 89° 37' East parallel to the South line of the Southeast quarter of the Southwest quarter of said Section, a distance of 119.85 feet; thence South 0° 52' East a distance of 140 feet to the South line of the Southeast quarter of the Southwest quarter of said Section 16 and being in the centerline of said Granger Avenue; thence North 89° 37' West along last mentioned line, a distance of 120 feet, more or less, to the true point of beginning.

INCLUDING also the Westerly 25 feet of Honeysuckle Drive immediately adjacent to the East line of the above described property, the 20-foot alley and the Northerly 30 feet of Granger Avenue immediately adjacent to the West line of said described property.

Contains	14,400	net
Less Street Dedication	1,200	
	13,200	

SCHEDULE "A"
ROLAND D. LOGAN

MODESTO CITY COUNCIL
RESOLUTION NO. 79-420

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 14-3-9 OF THE ZONING MAP (DONALD R. GONSALVES)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979 **, in the Council Chambers, City Hall, for the** purpose of considering an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the east side of Oakdale Road south of Merle Avenue

the following described property:

SEE ATTACHED SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-109 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 14-3-9 **of the Zoning Map be set for** June 5, 1979 at 4:00 p.m. **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of O. McHenry Ranch according to the map filed in Volume 2 of Maps, at Page 7, Mount Diablo Base and Meridian in the Stanislaus County Records, situated in the Southwest One-Quarter of Section 14, Township 3 South, Range 9 East, described as follows:

Commencing at the Southwest corner of said Lot 3; thence North 0°19' West and along the West line of said Lot 3 and along the centerline of the 40.00 foot County Road known as Old Oakdale Road, a distance of 665.04 feet to the true point of beginning of this description; thence continuing North 0°19' West and along the West line of said Lot 3 a distance of 239.05 feet; thence South 89°30'30" East a distance of 259.20 feet; thence South 37°50'40" East a distance of 24.57 feet; thence South 9°19'20" East a distance of 32.91 feet; thence South 0°13'20" West a distance of 187.69 feet; thence North 89°26' West a distance of 277.55 feet to the true point of beginning of this description.

SCHEDULE "A"
DONALD R. GONSALVES

MODESTO CITY COUNCIL
RESOLUTION NO. 79-421

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(147) (ST. PAUL'S EPISCOPAL CHURCH)

WHEREAS, the Modesto City Planning Commission held a public hearing on April 16, 1979 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** P-D(147) to allow utilization of the church facilities for a maximum 95-child day care nursery, increase elderly housing to 100 units, and denied a request to include a bank or other financial institution in the professional office portion of P-D(147) located at the southeast corner of Briggsmore and Oakdale Road.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-109 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(147) **of the Zoning Map be set for** June 12, 1979, at 7:30 p.m., **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-422

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON ADOPTION OF A SPECIFIC PLAN FOR ROSELLE AVENUE BETWEEN BRIGGSMORE AVENUE AND FLOYD AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 22, 1979 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** adoption of a specific plan for Roselle Avenue between Briggsmore Avenue and Floyd Avenue as recommended by the Planning Commission by Resolution No. 79-111,at their meeting of April 16, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-423

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $54,217 FROM GENERAL RESERVE TO NORTHWEST MCHENRY NEIGHBORHOOD PARK LAND ACQUISITION

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve	$54,217
TO:	Northwest McHenry Neighborhood Park/Land Acquisition	$54,217

This money is needed to make up a deficit in the Northwest McHenry Neighborhood Park Land Acquisition file in order to purchase the Wesson and C.L.S. properties.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-424

A RESOLUTION RE-APPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION (ALFONSO PELAYO AND HELEN WHITE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby re-appointed to the Human Rights Commission for the respective term as indicated:

Alfonso Pelayo	Term to expire 5/1/83
Helen White	Term to expire 5/1/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed members of the Human Rights Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-425

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE DID BOARD OF DIRECTORS (LEW FRANKLIN, JR., DIRK HOEK, AND DAVID KAMRAR)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are / hereby re-appointed to the DID Board of Directors for the respective term as indicated:

Lew Franklin, Jr.	Term to expire 3/28/83
Dirk Hoek	Term to expire 3/28/83
David Kamrar	Term to expire 3/28/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed members of the DID Board of Directors and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-426

RE-
A RESOLUTION APPOINTING MEMBERS OF THE FARM-CITY ADVISORY COMMITTEE
(HAROLD LUTES AND ROBERT SCHMIDT)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are re-hereby appointed to the Farm-City Advisory Committee for the respective term as indicated:

Harold Lutes	Term to expire 5/1/83
Robert Schmidt	Term to expire 5/1/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed members of the Farm-City Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-427

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PROPERTY OWNERS ON LONE PALM AVENUE (MASTAGNI, ET AL) FOR EXTENSION OF A 10" WATER MAIN ON LONE PALM AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and property owners on Lone Palm Avenue, north of Woodland Avenue **for** extension of a 10" water main on Lone Palm Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 1st **day of** May, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-428

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, CRAIG MICHAELSON, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, Craig Michaelson, against the City of Modesto was received on April 27, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Craig Michaelson, against the City of Modesto, received on April 27, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-429

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SWIMMING POOL CHLORINE AND MURATIC ACID FOR FISCAL YEAR 1979/80

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for swimming pool chlorine and muratic acid for fiscal year 1979/80 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 22, 1979, at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coile
NORRINE COILE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-430

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF DRY CELL BATTERIES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing the annual requirements of dry cell batteries **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 22, 1979, at 2:15 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-431

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF AIRCRAFT PARKING APRON AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of aircraft parking apron at the Modesto City-County Airport **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 29, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Maxine Cole
MODESTO CITY CLERK

MODESTO CITY COUNCIL
RESOLUTION NO. 79-432

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE 1500 GPM FIRE PUMPER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing one 1500 GPM fire pumper **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on May 29, 1979, at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-433

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $125,000 FROM GENERAL RESERVE FOR THE PURCHASE OF A 1500 GPM FIRE PUMPER

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60.00 800 321)	$125,000
TO:	1500 GPM Pumper & Equipment (6932.00 210 321)	$125,000

The Fire Department is accelerating the purchase of this fire pumper scheduled in the 1979-80 Capital Improvement Program, because of escalating prices.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-434

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR CONSTRUCTION OF WATERLINE EXTENSIONS IN STANDIFORD AVENUE FOR VINEYARD SUBDIVISION AND IN WOODLAND AVENUE FOR SHASTA ESTATES SUBDIVISION

WHEREAS, Resolution No. 79-313 **, adopted by the Council of the City of Modesto on** April 10, 1979 **, approved the plans and specifications for the** construction of waterline extensions in Standiford Avenue for Vineyard Subdivision and in Woodland Avenue for Shasta Estates Subdivision **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of waterline extensions in Standiford Avenue for Vineyard Subdivision and in Woodland Ave. for Shasta Estates **were opened at** 11:05 a.m. on May 1, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin Pipeline, Inc. in the amount of $9,339.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $9,339.50

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-435

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR CONSTRUCTION OF WATERLINE EXTENSION AT FLOYD AND OAKDALE ROADS

WHEREAS, Resolution No. 79-312 **, adopted by the Council of the City of Modesto on** April 10, 1979 **, approved the plans and specifications for the** construction of waterline extension at Floyd and Oakdale Roads **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of waterline extension at Floyd and Oakdale Roads **were opened at** 11:00 a.m. on May 1, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin Pipeline, Inc. in the amount of $37,634.00 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $37,634.00 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-436

A RESOLUTION ACCEPTING THE BID OF PUREGRO COMPANY FOR FURNISHING LIQUID ANHYDROUS AMMONIA

WHEREAS, Resolution No. 79-351 **, adopted by the Council of the City of Modesto on** April 17, 1979 **, approved the plans and specifications for the** furnishing of liquid anhydrous ammonia

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of liquid anhydrous ammonia

were opened at 2:00 p.m. on May 1, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** PureGro Company in the amount of $170.92 per ton

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of PureGro Company in the amount of $170.92 per ton

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-437

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WADING POOL AT REVARD PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the wading pool at Revard Park

has been completed by William Mineni

in accordance with the contract agreement dated May 22, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of the wading pool at Revard Park be accepted from said contractor, William Mineni;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $39,080 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-438

A RESOLUTION ACCEPTING THE CONSTRUCTION OF IMPROVEMENTS OF HAHN DRIVE AT MID LATERAL NO. 7 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of improvements of Hahn Drive at MID Lateral No. 7 has been completed by The Flintkote Company

in accordance with the contract agreement dated October 24, 1977.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvements of Hahn Drive at MID Lateral No. 7 be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $50,856.30 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-439

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREET LIGHT MODERNIZATION - COUNTY HOUSING AUTHORITY - BLOCK 3010

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** street light modernization - County Housing Authority - Block 3010 **has been completed by** E & S Electrical Contractors

in accordance with the contract agreement dated November 20, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of street light modernization - County Housing Authority - Block 3010 **be accepted from said contractor,** E & S Electrical Contractors;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $27,833.30 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-440

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LAKEWOOD AVENUE SEWER TRENCH REPAIR AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** Lakewood Avenue sewer trench repair **has been completed by** Lee White Paving Company

in accordance with the contract agreement dated December 4, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of Lakewood Avenue sewer trench repair **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $12,965 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-441

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH ASPLUNDH EQUIPMENT COMPANY FOR A NEW BRUSH CHIPPER CUTTING HEAD AND ASSOCIATED PARTS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for purchase of a new brush chipper cutting head and associated parts is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Asplundh Equipment Company for a new brush chipper cutting head and associated parts for a total cost of $4,568.26.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-442

A RESOLUTION APPROVING CHANGE ORDERS FOR PURCHASE OF ADDITIONAL RADIO COMMUNICATION EQUIPMENT FOR FIRE DEPARTMENT FROM THE MOTOROLA CORPORATION

WHEREAS, on November 20, 1978, an agreement was approved with the Motorola Corporation for the purchase of a Fire Department radio/dispatch system; and

WHEREAS, the Fire Department has need for additional radio/dispatch equipment for Fire Stations #7 and #8 to complete their integration into the total radio and dispatch system, and pager/alert devices are needed for calling off-shift Fire Department personnel to major emergencies; and

WHEREAS, due to escalating prices it is deemed advisable to purchase said additional radio equipment under said agreement with the Motorola Corporation which expires on June 26, 1979.

NOW, THEREFORE BE IT RESOLVED that change orders for additional radio communication equipment for the Fire Department in the amount of $14,255.12 is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-443

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(218).
(MODESTO DEVELOPMENT)

WHEREAS, a verified application for an amendment to Section 24-3-9 of the Zoning Map was filed by Modesto Development on December 19, 1978, to prezone to Planned Development Zone, P-PD, the following described property:

ALL that portion of Lots 16, 17 and 18 of Idaho Colony, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records, lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows;

COMMENCING at the East quarter corner of said Section 24; thence North 0°47' West along the East line of said Section 24 and the present center line of Claus Road, 761.05 feet; thence South 89°21' West, along the South line of the North 8.0 acres of said Lot 16 a distance of 390.00 feet to the POINT OF BEGINNING of this description; thence South 0°47' East, 705.91 feet; thence South 89°13'00" West, 150.00 feet; thence South 0°47'00" East, 1011.96 feet to the center line of Scenic Drive; thence South 88°48'00" West, along said center line, 632.06 feet; thence North 0°47'00" West, along the West line of said Lot 18, a distance of 1388.33 feet to the North line of said Lot 18; thence North 81°17'00" East, along said North line 522.40 feet; thence North 0°48'30" West along the West line of said Lot 16 a distance of 262.64 feet to said South line of the North 8.0 acres of Lot 16; thence North 89°21'00" East, along said South line 264.76 feet to the point of beginning.

Containing: 23.852 acres

WHEREAS, after public hearing held on February 20, 1979, and continued to March 19, 1979, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the Lakewood Neighborhood Zoning and Development Plan.

2. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments,

and

WHEREAS, after a public hearing held on May 8, 1979, the Council found and determined that the application of Modesto Development for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the Lakewood Neighborhood Zoning and Development Plan.

2. The P-D plan and conditions of approval assure a degree of compatibility consonant with the residential areas to the west and north, and

WHEREAS, the City Council certifies it has received and reviewed the environmental assessment and findings which resulted in a Negative Declaration in regard to the environmental impact of the proposed prezoning, and

WHEREAS, the Council has introduced Ordinance No. 1825-C. S. on the 8th day of May, 1979, prezoning the above-described property to Planned Development Zone, P-PD (218).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(218), is hereby approved in accordance with the plan titled "Cedar Brook Planned Development" as amended in red on its face, stamped approved by the Planning Commission on March 19, 19 79, which said plan is on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plot plan titled "Cedar Brook Planned Development" as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common open space improvement and maintenance in accordance with the approved plans.

5. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

6. That building plans for the dwellings shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development.

7. That all utilities shall be underground including TV reception facilities except that one central radio and TV antenna may be provided with underground wiring to the individual townhouses and recreation building, subject to obtaining a Conditional Use Permit from the Board of Zoning Adjustment.

8. That all signs shall comply with the sign requirements of the R-2 Zone.

9. That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That the fire access lane to Glenbrook Way must be of a hard surface capable of supporting a 30-ton vehicle and a smooth surface must be maintained. This fire access lane shall be chained closed at both ends at all times.

12. That on all private streets and cul-de-sacs a minimum 20-foot width shall remain unobstructed at all times and be posted "No Parking - Fire Lane".

13. All the common private streets, cul-de-sacs and parking areas shall be constructed in accordance with the structural section for residential streets as shown in the standard specifications.

14. That the development shall be served by positive storm drainage as required by the Director of Public Works.

15. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Scenic Drive to a major street standard in accordance with the requirements of the Director of Public Works.

16. That irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the City Engineer. Appropriate easements for irrigation lines shall be dedicated as necessary.

17. That the applicant shall record a "Notice of Conditions" form indicating that this resolution has been issued and contains conditions affecting the use of the property.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(218):

Phase I - 92 townhouses and the common recreational facilities as shown on the plot plat, the improvement of Scenic Drive adjacent to the townhouses, the construction of a standard cul-de-sac at the end of Apple Hill Road, the construction of Cedarbrook Court, and the construction of the private street connecting Scenic Drive with Cedarbrook Court. Construction shall begin by April 1, 1981, and be completed by April 1, 1982.

Phase II - 94 townhouses as shown on the plot plan, the connection of Spring Creek Drive and Glenbrook Way, the fire access lane to Spring Creek Drive, and the completion of Spring Creek Drive to connect to the fire access lane. Construction shall begin by April 1, 1982, and be completed by April 1, 1983.

Phase III - 85 townhouses as shown on the plot plan. Construction shall begin by April 1, 1983, and be completed by April 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(218) becomes effective.

SECTION 6. NOTICE OF DETERMINATION. The Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed prezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn I. Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-444

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON, (MODESTO DEVELOPMENT)

WHEREAS, on May 8, 19 79, the City Council introduced Ordinance No. 1826-C. S. giving approval to a project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to prezone certain property to Medium High Density Residential Zone, R-3, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to prezone certain property to Medium High Density Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-445

A RESOLUTION GRANTING THE APPEAL OF MID VALLEY ENGINEERING, FILED ON BEHALF OF MODESTO DEVELOPMENT, TO THE DECISION OF THE PLANNING COMMISSION DENYING PREZONING TO PLANNED DEVELOPMENT ZONE, P-PD, PROPERTY LOCATED ON THE WEST SIDE OF CLAUS ROAD NORTH OF SCENIC DRIVE, AND APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD (226).

WHEREAS, a verified application for an amendment to Section 24-3-9 of the Zoning Map was filed by Modesto Development on December 19, 1978, to prezone to Planned Development Zone, P-PD, to permit a neighborhood shopping center and professional office complex, property located at the northwest corner of Scenic Drive and Claus Road, described as follows:

All that portion of Lots 7, 16, and 17 of Idaho Colony, as shown on the map filed in Book 4 of Maps at Page 21, Stanislaus County Records lying in Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, State of California, described as follows:

BEGINNING at the East quarter corner of said Section 24; thence South 0° 47' East, on the East line of said Section 24 and centerline of Claus Road, 838.65 feet to the intersection with the centerline of Scenic Drive; thence South 89° 13' 00" West, on said centerline, 20.00 feet to the beginning of a curve concave to the South, having a radius of 145.10 feet and a central angle of 18° 23' 00"; thence Southwesterly on the arc of said curve a distance of 46.56 feet; thence South 70° 50' West, 245.91 feet to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet and a central angle of 17° 57' 30"; thence Southwesterly on the arc of said curve a distance of 109.70 feet; thence North 1° 12' 30" West, 5.00 feet; thence South 88° 48' West along said centerline, 137.80 feet; thence leaving said centerline North 0° 47' West, 1011.96 feet; thence North 89° 13' 00" East, 150.00 feet; thence North 0° 47' West, 505.91 feet; thence North 89° 21' East; 390.00 feet to said East line of Section 24 and the centerline of Claus Road; thence South 0° 47' East, along said Section line and centerline of Claus Road 561.05 feet to the point of beginning.

Containing 16.487 acres,

and

WHEREAS, said application was set for a public hearing before the Planning Commission at its meeting of February 20, 1979, and continued to March 19, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which continued hearing evidence both oral and documentary was received and considered, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-69 determining that prezoning of the property as requested was not required by public necessity, convenience and general welfare for the reasons set forth in said Planning Commission Resolution No. 79-69, and denied the application of Modesto Development for an amendment to Section 24-3-9 of the Zoning Map to prezone the property described above to Planned Development Zone, P-PD, and

WHEREAS, an appeal to the decision of the Planning Commission was filed by Mid Valley Engineering, on behalf of Modesto Development, with the City Council of the City of Modesto by a letter dated March 20, 1979, and

WHEREAS, a public hearing was held on May 8, 1979, by the Council of the City of Modesto, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider said appeal of Mid Valley Engineering, filed on behalf of Modesto Development, to the Planning Commission's denial of said application, and

WHEREAS, the Council, after hearing and considering evidence both oral and documentary, finds and determines that the appeal of Mid Valley Engineering, filed on behalf of Modesto Development, to the decision of the Planning Commission for an amendment to Section 24-3-9 of the Zoning Map to prezone the property described above to Planned Development Zone, P-PD, for a neighborhood shopping center and professional office complex, should be granted for the reasons hereinafter set forth, and the decision of the Planning Commission denying said prezoning should be overruled:

1. The proposed project is located at the intersection of two major streets, at the juncture of the Lakewood, Lakewood East, Yosemite, and Empire West neighborhoods. While no shopping center is shown on the General Plan map at this intersection, a shopping center is shown at the intersection of Briggsmore Avenue and Claus Road, located approximately three-fourths of a mile north of the proposed project. With the construction of the proposed project, the necessity of an additional shopping center to serve the Lakewood and Lakewood East neighborhoods will no longer exist. Because the proposed project can be viewed as an alternative to the site shown on the General Plan map, it will not result in growth beyond that anticipated by the General Plan, it will not conflict with the General Plan or neighborhood zoning and development plan, nor will it result in a cumulative environmental impact.

2. Any additional vehicular movement generated by the proposed project can be handled adequately due to its location at the intersection of two major streets.

3. The professional office site is an appropriate location for offices, being adjacent to a neighborhood shopping center.

4. The P-D plan and conditions of approval assure a degree of compatibility consonant with the future and existing residential areas to the west, north and east,

WHEREAS, the City Council certifies it has received and reviewed the environmental assessment and findings which resulted in a Negative Declaration in regard to the environmental impact of the proposed prezoning, and

WHEREAS, the Council has introduced Ordinance No. 1827-C. S. on the 8th day of May, 1979, prezoning the above-described property to Planned Development Zone, P-PD(226),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Mid Valley Engineering filed on behalf of Modesto Development, to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-69, denying an amendment to Section 24-3-9 of the Zoning Map to prezone to Planned Development Zone, P-PD, of the property described herein, should be granted for the reasons set forth above, and that the decision of the Planning Commission should be overruled.

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(226) is hereby approved in accordance with the plan titled "Cedar Brook Planned Development" as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, which plan is on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above referred to plan, as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the western boundary of the shopping center and the western and northern boundaries of the office complex.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

5. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That all businesses, except the restaurant shown on the plan, may be open to the public only between the hours of 7 a.m. and 10 p.m. of each day, seven days a week, unless a use permit for each business seeking to remain open for additional business hours is obtained from the Board of Zoning Adjustment after a public hearing, in accordance with the provisions of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code. The restaurant may be open only from 7 a.m. until 11 p.m. of each day

8. That the loading dock area on the west side of the shopping center may not be used for outside storage of any type of material.

9. That all activities in the loading dock area, including the parking of trucks, may be conducted only between the hours of 7 a.m. and 10 p.m.

10. That irrigation lines within the P-D Zone shall be removed or relocated as required by the Modesto Irrigation District and the City Engineer. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

11. That prior to occupancy of the premises the applicant shall construct a solid 6-foot high fence with decorative masonry pilasters 16 feet on centers along the west and north boundaries of the office complex.

12. That prior to occupancy of the premises, an 8-foot high solid decorative masonry wall shall be constructed along the west boundary of the shopping center.

13. That all parking and driveway areas shall be improved in accordance with city standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code.

14. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

15. That no operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the premises shall be soundproofed in accordance with the requirements of the Director of Public Works.

16. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

17. That prior to issuance of a building permit for any construction, a final parcel map shall be filed in accordance with applicable Code requirements.

18. That the supermarket shall be constructed within the first phase of the project (including the office complex), and shall be the first use to open for business (including the office portion of the P-D Zone).

19. That 2 freestanding shopping center identification signs shall be permitted, one each on the Scenic and Claus frontages. These freestanding signs shall not exceed 72 square feet in area and 20 feet in height. All other signs in the shopping center shall comply with the sign requirements of the H-1 Zone.

20. That no signs shall be permitted on the north and west faces of the shopping center buildings and office complex buildings that will be visible from the adjacent residential areas to the north and west.

21. That all signs in the office complex shall comply with the P-O Zone sign regulations.

22. That the development shall be served by positive storm drainage as required by the Director of Public Works.

23. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Claus Road and Scenic Drive to a major street standard in accordance with the requirements of the Director of Public Works

24. That the applicant shall record a "Notice of Conditions" form indicating that this resolution has been issued and contains conditions affecting use of the property.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(226):

Phase I to include construction of the neighborhood shopping center to begin on or before July 1, 1982, and be completed not later than July 1, 1985.

Phase II to include construction of the professional office complex to begin on or before April 1, 1983, and be completed not later than April 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(226) becomes effective.

SECTION 6. NOTICE OF DETERMINATION. The Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed prezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: Lang

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-446

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AM AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (GENE HERRON AND AL SARINA)

WHEREAS, on May 8, 19 79, the City Council introduced Ordinance No. 1828 -C. S. giving approval to a project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-447

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (HERRON AND SARINA)

WHEREAS, on May 8, 19 79, the City Council introduced Ordinance No. 1829 -C. S. giving approval to a project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-448

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (221).

WHEREAS, a verified application for an amendment to Section 8-4-9 of the Zoning Map was filed by Gene Herron and Al Sarina on February 21, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, property located south of Imperial Avenue, west of Crows Landing Road, and to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on Algen Avenue and Algen Court, described as follows:

A portion of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

From R-1 to P-D

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of the property conveyed to Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence along said Southerly prolonged line and along said Westerly line, a distance of 510.00 feet to the intersection with the Northerly line of that certain parcel of land conveyed to Richard G. Herron, et al, by Deed recorded in Volume 3032 of Official Records at Page 68, Stanislaus County Records; thence North 89°20'00" West along said Northerly line, a distance of 559.30 feet to the Southeast corner of that certain parcel of land conveyed to Alfred T. Sarina, et al, by Deed recorded in Volume 3036 of Official Records at Page 212, Stanislaus County Records; thence North 0°03'30" East along the East line of said Lands of Sarina and its Northerly prolongation thereof a

distance of 204.68 feet to the intersection with the centerline of Imperial Avenue, as shown on that certain map of the Frazier Home Tract, recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records; thence North 89°14'00" West along said center line, a distance of 60.00 feet to the intersection with the Northerly prolongation of the West line of said Lands of Sarina; thence South 0°03'30" West along said prolonged line and along said West line, a distance of 204.69 feet, to the intersection with the Northerly line of the aforementioned Lands of Richard G. Herron; thence along North 89°20'00" West along said North line, a distance of 747.90 feet to the Northwest corner of said Lands of Herron; thence South 0°13'00" West along the West line of the Lands of Herron and along the East line of the Rutherford Tract as shown on that certain map recorded in Volume 16 of Maps, at Page 37, Stanislaus County Records; a distance of 660.00 feet to the Southeast corner of said Rutherford Tract as shown on said map said corner also being the Southwest corner of said Lands of Herron; thence South 89°20'00" East along the South line of said Lands of Herron, a distance of 345.00 feet; thence along the following four (4) courses and distances;

North 0°40'00" East; 110.00 feet;
South 89°20'00" East; 435.00 feet;
North 0°40'00" East; 5.00 feet, and
South 89°20'00" East; 404.18 feet; thence along an arc of a tangent curve to the left having a radius of 250.00 feet; through a central angle of 21°33'45", an arc distance of 94.08 feet to a point of reverse curvature; thence along an arc of a tangent curve to the right, having a radius of 250.00 feet through a central angle of 21°33'44", an arc distance of 94.08 feet to the point of beginning.

From R-1 to R-2

COMMENCING at a point along the East line of said Section 8, distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the point of beginning; thence South 0°02'00" East, 150.00 feet to the intersection with said North line of the South one half of the Southeast one quarter of said Section 8; thence North 89°20'00" West along said North line of the South one half of the Southeast one quarter of said Section 8, a distance of 1024.60 feet; thence the following (4) courses and distances;

North 0°40'00 East, 110.00 feet;
South 89°20'00" East, 435.00 feet;
North 0°40'00" East; 5.00 feet; and
South 89°20'00" East, 404.18 feet; thence along an arc of a tangent curve to the left, having a radius of 250.00 feet, through a central angle of 21°33'45", an arc distance of 94.08 feet to a point of reverse curvature; thence along an arc of a tangent curve to the right, having a radius of 250.00 feet, through a central angle of 21°33'44", an arc distance of 94.08 feet to the point of beginning.

Containing 2.7 acres of land more or less,

and

WHEREAS, after a public hearing held on March 19, 1979, it was found and determined by the Planning Commission that rezoning of the property described above from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, is not required by public necessity, convenience and general welfare for the reason that the proposed stripping of Algen Avenue and Algen Court with R-2 density does not conform to the medium density locational criteria of the Modesto Urban Area General Plan neighborhood prototype, and

WHEREAS, at said public hearing referred to above, it was found and determined by the Planning Commission that rezoning of the property for which the requested R-2 Zoning was denied should be included in the P-D portion of of the application and developed with zero lot line houses, and

WHEREAS, at said public hearing referred to above, it was found and determined by the Planning Commission that rezoning of the above property requested by the applicants from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(221), including that portion of the application proposed for Medium Density Residential Zone, R-2, is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed P-D Zone density is within the 10-units per net acre maximum permitted in an R-1 area via P-D approval.

2. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential development,

and

WHEREAS, by said Planning Commission Resolution No. 79-74C adopted on March 19, 1979, the Planning Commission recommended to the Council that Section 8-4-9 of the Zoning Map be amended to reclassify all of the above described property to Planned Development Zone, P-D(221), and

WHEREAS, after a public hearing held on May 8, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the rezoning all of the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(221), including that portion proposed for Medium Density Residential Zone, R-2, should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-74C and quoted above, and

WHEREAS, the Council has introduced Ordinance No. 1830 - C. S. on the 8th day of May, 1979, reclassifying the hereinafter described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(221):

A portion of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, more particularly described as follows:

COMMENCING at a point along the East line of said Section 8 distant thereon North 0°02'00" East, 1465.00 feet from the Southeast corner of said Section 8, said point also being a point along the center line of Crows Landing Road; thence North 89°20'00" West along a line parallel with and distant 150.00 feet Northerly, measured at right angles, from the North line of the South one half of the Southeast one quarter of said Section 8, a distance of 660.00 feet to the intersection with the Southerly prolongation of the Westerly line of the property conveyed to Industrial Fire Protection District by Deed recorded in Volume 3031 of Official Records at Page 646, Stanislaus County Records, and the point of beginning; thence along said Southerly prolonged line and along said Westerly line, a distance of 510.00 feet to the intersection with the Northerly line of that certain parcel of land conveyed to Richard G. Herron, et al, by Deed recorded in Volume 3032 of Official Records at Page 68, Stanislaus County Records; thence North 89°20'00" West along said Northerly line, a distance of 559.30 feet to the Southeast corner of that certain parcel of land conveyed to Alfred T. Sarina, et al, by Deed recorded in Volume 3036 of Official Records at Page 212, Stanislaus County Records; thence North 0°03'30" East along the East line of said Lands of Sarina and its Northerly prolongation thereof a distance of 204.68 feet to the intersection with the centerline of Imperial Avenue, as shown on that certain map of the Frazier Home Tract, recorded in Volume 14 of Maps, at Page 46, Stanislaus County Records; thence North 89°14'00" West along said center line, a distance of 60.00 feet to the intersection with the Northerly prolongation of the West line of said Lands of Sarina; thence South 0°03'30" West along said prolonged line and along said West line, a distance of 204.69 feet, to the intersection with the Northerly line of the aforementioned Lands of Richard G. Herron; thence along North 89°20'00" West along said North line, a distance of 747.90 feet to the Northwest corner of said Lands of Herron; thence South 0°13'00" West along the West line of the Lands of Herron and along the East line of the Rutherford Tract as shown on that certain map recorded in Volume 16 of Maps, at Page 37, Stanislaus County Records; a distance of 660.00 feet to the Southeast corner of said Rutherford Tract as shown on said map said corner also being the Southwest corner of said Lands of Herron; thence South 89°20'00" East 1369.60 feet to a point on the North line of the South one half of the Southeast one quarter of said Section 8; thence North 0°02'00" West 150 feet to the point of beginning.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (221), is hereby approved in accordance with a revised plot plan titled "Mountain Home Estates", as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above revised plan, as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development.

2. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

3. That building plans for the dwellings shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

4. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

5. That all signs shall comply with the sign requirements of the R-1 Zone.

6. That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

7. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

8. That the applicant shall record a "Notice of Conditions" form indicating that this resolution has been issued and contains conditions affecting use of the property.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (221):

> The entire construction program shall be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (221) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-449

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO REZONING CERTAIN PROPERTY LOCATED THEREON. (GENE HERRON AND AL SARINA)

WHEREAS, on May 8, 1979, the City Council introduced Ordinance No. 1830 -C. S. giving approval to a project relating to an amendment to Section 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1 to Planned Development Zone, P-D(221), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 8-4-9 of the Zoning Map of the City of Modesto to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(221).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-450

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JACK GEORGE FOR CREEKSIDE PRIVATE SCHOOL PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jack George

for lease of Creekside Private School property for a 5-year period through June 30, 1984.

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-451

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON CONSTRUCTION OF SIDEWALKS ON SUNRISE FROM LUCERN TO ROSEBURG AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that May 22, 1979, at 7:30 p.m. , **in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** sidewalk construction on Sunrise Avenue from Lucern to Roseburg Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-452

A RESOLUTION REQUESTING CALTRANS TO IMPOSE WEIGHT LIMIT ON 7TH STREET BRIDGE

WHEREAS, it is necessary to lower the weight limit of the Seventh Street Bridge to increase the safety factor, reduce bridge maintenance costs, and assure extended life of the bridge; and

WHEREAS, a permanent decrease in weight limitations on the bridge must be accomplished by an order of the Department of Transportation.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby requests the Department of Transportation to make the necessary investigations, hold hearings, and issue orders placing a vehicle weight limit of less than 5 tons gross vehicle weight on the Seventh Street bridge with no special speed restriction, in accordance with Sections 35751(c) and 22402 of the Vehicle Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-453

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON A FEDERAL OPERATING ASSISTANCE GRANT APPLICATION (BUS OPERATIONS FY 1979-80)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 26, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Federal Operating Assistance Grant Application (Bus Operations FY 1979-80).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May **, 19** 79 **, by Councilmember** Siefkin **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-454

A RESOLUTION APPROVING SUBMISSION OF THE ANNUAL TRANSPORTATION CLAIM TO THE STANISLAUS AREA ASSOCIATION OF GOVERNMENTS (SAAG).

WHEREAS, money is available from the Local Transportation Fund for use by the City of Modesto in carrying out various activities related to transportation, and

WHEREAS, annually these funds are allocated by the Stanislaus Area Association of Governments (SAAG) in accordance with established priorities, and

WHEREAS, the City of Modesto's claim has been prepared in accordance with established priorities and provides for the use of $2,138,762 from the Local Transportation Fund,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that submission of the City of Modesto's Annual Transportation Claim by the City Manager to the Stanislaus Area Association of Governments (SAAG) in the amount of $2,138,762 for the fiscal year 1979-80 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-455

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $102,641 FROM GENERAL RESERVE FOR ACCELERATED PURCHASE OF ITEMS IN THE 1979-80 BUDGET

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve	$102,641
TO:	Various Accounts (See Schedule "A")	$102,641

Because of rapidly rising prices, it is recommended the purchase of some items needed in future months be accelerated.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Department	Item	Amount
	Replacement of Barricades	$ 3,000
	Replace Power Generator	300
	Drinking Fountain	425
	Sewage and Rainwater Sump Pumps	7,100
	Sump Pump (City Hall Annex)	415
	Distance Measuring Wheel	50
	Measuring Wheel	106
	Typewriter	859
	Instant Developing Camera for Property Agent	48
	35 MM Camera & Flash	361
	Instant Camera	117
	Application of Reclamite	6,500
	Annex Replacement Carpet	3,703
Parking & Traffic	Traffic Counters (3)	4,354
	Counter Tape Reader	2,650
	Layout Table	150
	Typewriter	954
	Coveralls for Meter Maintenance and Meter Collector Men	130
	Traffic Counters (3)	4,354

Department	Item	Amount
	Localized Burglar Alarms (4)	$ 1,117
	Remote Actuator for Automatic Sprinklers	590
	Resurfacing Bottom of Pools at Whitmore and Mellis Parks	3,600
	Folding Tables Beard Brook	204
	Folding Chairs Beard Brook	144
	Folding Tables Boy Scout Clubhouse	204
	Reupholstering of Four Side Chairs	252
	Santa Claus Outfit	180
	Santa Wig & Beard Set	196
	Sprinkler Controller Kewin Park	1,201
	Sprinkler Controller Del Webb	1,121
	Sprinkler Controller Moran Estates	553
	Paint Sprayer	506
	Chlorinator Pump (2)	572
	Misc. Office Supplies for Street Tree Information Program	109
	Automatic Controller for Sprinkler Dryden Golf	701
	Map Case McHenry Museum	1,195
	Storage Area for Museum Items	600
	Automatic Fire Extinguisher Dryden Golf	904
	Servicing of Fire Extinguisher	90
	Radio/Supervisor of Golf & TRRP Crews	1,378
	Folding Chairs (20) Senior Citizens Center	170
	Folding Tables (10) Senior Citizens Center	795
	Folding Tables (10) Additional Senior Citizens Center	795
	Folding Chairs (80) Additional Senior Citizens Center	679
Public Works	Automatic Survey Level	2,700
	Visible File	777
	Drafting Machines (1)	176
	Cameras (2)	80
	Copies of Updated Codes (38)	1,976
	Typewriter	912
	Ladder 21"	488
	Rack for Ladder	395
	Industrial Shelving	553
	Mobile Radios (2)	2,405

Management Services	Canon Calculator	$ 179
	Typing Table	371
City Clerk & Auditor	Binders for Municipal Code	862
Finance	Storage Racks	$ 583
	Data Table	240
	Printing Calculator	170
	Maintenance Burroughs Terminals (7)	2,387
	Card Punch Table	277
	Book Case	91
	Pallet Racks (2)	499
	Chair	261
Fire	Turnout Gear for Station #7 (Helmets, pants, coats, boots, gloves (6 ea.))	1,578
	Pager Devices Station #7 (6)	1,980
	Replace 10 Breathing Air Tanks OSHA	1,590
	Overhead Doors Station #5	3,000
	New Fire Codes for the Fire Prevention Bureau	125
	Replace 2 Fiberglass Shower Stalls Station #1	3,600
	Movie Projector	850
	Blue Pavement Markers to Mark Hydrant Locations	721
	Radio Equipment Station #7	4,160
Police	CPR Training Aid	202
	Endless Magnetic Rol-A-Chart	729
	Protective Bullet Proof Vest	156
	Binoculars, 2 Pair	170
	Work Plan Visual Organizer	175
	Infra Red Rifle Scope Battery Pack	295
Parks & Recreation	Folding Chairs (50) McHenry Museum	424
	Automatic Fire Extinguisher King Kennedy Center	713
	Annual Servicing of Automatic Fire Extinguisher	90
	Folding Tables (6)	477
	Folding Chairs (6)	170
	Sand and Refinish Gym Floor Maddux Youth Center	2,500
	Cleansers, Brooms, First Aid Supplies	50
	Timer Controllers (12)	3,108
	Large Plastic Litter Bags	214
	Garbage Liner Bags	5,750

MODESTO CITY COUNCIL
RESOLUTION NO. 79-456

A RESOLUTION CLAIMING $25,300 NON-MOTORIZED MONEY FROM SAAG FOR BICYCLE LANE PROJECTS

WHEREAS, the Planning and Community Development Department has identified projects costing $50,600 which are eligible for 50% financing with non-motorized money available through the Stanislaus Area Association of Governments (SAAG); and

WHEREAS, the City will match the 50% non-motorized money with Local Transportation Fund money being requested in the 1979-80 Local Transportation Claim.

NOW, THEREFORE BE IT RESOLVED that the execution of a claim for $25,300 non-motorized money from SAAG for bicycle lane projects by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 457

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR FISCAL YEAR 1978-79 TO PROVIDE FOR THE CONSTRUCTION OF NON-MOTORIZED FACILITIES COSTING $50,600.

WHEREAS, the City of Modesto wants to construct non-motori zed facilities costing $50,600, and

WHEREAS, fifty percent of the cost of said projects is available through the Stanislaus Area Association of Governments under Section 99239 of the Public Utilities Code of the State of California, and

WHEREAS, fifty percent of the cost of said projects is available under Section 99400 of the Public Utilities Code of the State of California, to be claimed in the City's 1979-80 Local Transportation Fund Claim,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the final budget of the City of Modesto for fiscal year 1979-80 be amended to appropriate fifty percent of the cost of said projects ($25,300) and revenue estimates be adjusted to provide for financing of fifty percent of the total project cost as follows:

A. Revenue

Revenue of $15,000 now estimated in Account No. 208, Non-Motorized Grant, Local Transportation Fund, be increased $25,300 from $15,000 to $38,500.

B. Appropriations

Appropriations be increased as follows in the Local Transportation Fund, Fund No. 205.

Account	Description	From	To
6378-04	Conejo/Fortuna	$ 0	$3,650
6383-04	Orangeburg-Martin/McHenry	0	8,350
6384-04	Orangeburg-McHenry/Coffee	0	640
6388-04	Prescott-Briggsmore/Rumble	0	512
6389-04	Standiford/Sylvan-Carver/Bridgeford	0	1,088
6390-04	Rumble-Sisk to Keller	0	660
6391-04	Carver/Pearl to Sherwood/Granger	0	390
6394-04	Celeste-Coffee to Rose	0	120
6395-04	Orangeburg-Coffee to Rose	0	120
6397-04	Carver/Princeton to High/Helen	0	570
6398-04	Tully/Stoddard to Kimble/Morris	0	240
6399-04	Johnson/Downey to Coffee/Fairmont	0	540
6400-04	High/Lucern to Rose/Locke	0	300
6402-04	Standiford/Sherwood to Poplar/Needham	0	630
6403-04	Sylvan/Keller to Locke/Rose	0	480
6405-04	South/Roselawn to 5th/I	0	330
6416-04	Burney/LaLoma to Conejo/Encina	0	450
6417-04	Fortuna/Encina to Riverside/Encina	0	150
6418-04	Burney/Lane to Morton/State	0	180
6420-04	Morton-Beard Brook Park to LaLoma	0	150
6423-04	Engineering-Dry Creek Bridge	0	3,750
6428-04	Bicycle Lane Re-Stripping	0	4,000
	Total		$25,300

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-458

A RESOLUTION ACCEPTING IMPROVEMENTS IN BEYERWOOD EAST NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Stonewood Development Company, subdividers of Beyerwood East No. 2 Subdivision, have filed subdivision Bonds for faithful performance and labor and materials in the amount of $336,500 and $168,250 respectively to guarantee improvements in Beyerwood East No. 2 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated April 30, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Beyerwood East No. 2 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $336,500 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $168,250 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979 by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-459

A RESOLUTION APPROVING THE FINAL MAP OF THE FIG GARDENS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, CBC Development Co., a partnership, and CW Development Company, a partnership

~~is~~(are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.428 acres, known as the Fig Gardens Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 2nd day of January, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Fig Gardens Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-460

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF STREETS, CURB & GUTTER AT STOCKARD,COFFEE PARK AND LAKEWOOD PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of streets, curb & gutter at Stockard, Coffee Park and Lakewood Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 5, 1979 at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-461

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF BALLPARK LIGHTING AT DAVIS PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for replacement of ballpark lighting at Davis Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 12, 1979 at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-462

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL LAMP REQUIREMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for annual lamp requirements **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 5, 1979 at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-463

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR ANNUAL REQUIREMENTS OF ROCK, SAND, AND GRAVEL PRODUCTS FOR THE 1979-80 FISCAL YEAR

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for annual requirements of rock, sand, and gravel products for the 1979-80 fiscal year **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 5, 1979 at 2:10 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-464

A RESOLUTION ACCEPTING THE BID OF JORGENSEN AND COMPANY FOR FIRE FIGHTING EQUIPMENT

WHEREAS, Resolution No. 79-282 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** purchase of fire fighting equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the fire fighting equipment

were opened at 2:00 p.m. on April 24, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Jorgensen & Company in the amount of $4,967.43 (items on attached Schedule "A") **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Jorgensen & Company in the amount of $4,967.43

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

AWARD SHEET

Jorgensen & Company

Item	Quantity	Description	Price	Total
1	3	#25 Fire Extinguisher	$130.10	$ 390.30
2	3	#27 Fire Extinguisher	131.20	393.60
3	3	#30 Fire Extinguisher	147.30	441.90
5	3	2-1/2 Gal. Fire Extinguisher	40.65	121.95
16	3	2-1/2" Bresnan Nozzle	221.00	663.00
17	9	Spanner Wrench	5.10	45.90
20	6	Adjustable Hydrant Wrench	9.60	57.60
31	6	Hebert Hose Clamp	57.50	345.00
35	4	Flynn Valve Resuscitator	556.80	2,227.00
				4,686.25
			Tax	281.18
				$4,967.4

SCHEDULE "A"
FIRE FIGHTING EQUIPMENT
JORGENSEN & COMPANY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-465

A RESOLUTION ACCEPTING THE BID OF HALPRIN SUPPLY COMPANY FOR FIRE FIGHTING EQUIPMENT

WHEREAS, Resolution No. 79-282 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** purchase of fire fighting equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the fire fighting equipment

were opened at 2:00 p.m. on April 24, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Halprin Supply Company in the amount of $1,850.29 (items on attached Schedule "A")
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Halprin Supply Company in the amount of $1,850.29

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May ,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Halprin Supply Company

12	9	Adapter	9.10	81.90
13	6	Adapter	15.60	93.60
14	6	Adapter	10.50	63.00
19	4	Adjustable Wrench	9.45	37.80
21	9	Lowell Ratchet	60.95	548.55
22	3	Spanner Wrench	1.75	5.25
23	3	Crash Axe	29.90	89.70
26	3	Crow Bar	14.50	43.50
29	12	Salvage Covers	58.95	707.40
37	12	Hose Straps	3.35	40.20
38	6	Rope Hose Tool	3.80	22.80
40	3	Rope Hose Tool	3.95	11.85
				1,745.55
			Tax	104.74
				$1,850.2

SCHEDULE "A"
FIRE FIGHTING EQUIP.
HALPRIN SUPPLY CO.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-466

A RESOLUTION ACCEPTING THE BID OF CAPITAL FIRE EQUIPMENT FOR FIRE FIGHTING EQUIPMENT

WHEREAS, Resolution No. 79-282 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** purchase of fire fighting equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the fire fighting equipment

were opened at 2:00 p.m. on April 24, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Capital Fire Equipment in the amount of $21,314.47 (items on attached Schedule "A") **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Capital Fire Equipment in the amount of $21,314.47

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May **,**

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

AWARD SHEET

Capital Fire Equipment

Item	Quantity	Description	Price	Total
4	3	#20 Fire Extinguisher	$122.70	$ 368.10
6	15	Akron #1730 Nozzle	291.60	4,374.00
7	18	Akron #1715 Nozzle	165.47	2,978.46
8	3	Akron #1262 Clapper	147.35	442.05
9	3	Adapter	83.87	251.61
10	3	Adapter	72.86	218.58
11	9	Gated Wye	86.24	776.16
15	6	Plain Wye	62.11	372.66
27	6	Akron Claw	21.63	129.78
28	5	Hooligan Tool	61.85	309.25
30	9	Fast Release Nozzle	18.05	162.45
32	9	Sprinkler Head Shut-Off	6.61	59.49
33	12	M.S.A. 30 min. E.B.A.	634.30	7,611.60
34	12	M.S.A. Air Tanks	162.00	1,944.00
41	3	Bolt Cutters	36.60	109.80
				20,107.99
			Tax	1,206.48
				$21,314.

SCHEDULE "A"
FIRE FIGHTING EQUIPMENT
CAPITAL FIRE EQUIPMENT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-467

A RESOLUTION ACCEPTING THE BID OF WESTERN FIRE COMPANY FOR FIRE FIGHTING EQUIPMENT

WHEREAS, Resolution No. 79-282 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** purchase of fire fighting equipment

and authorized the calling for bids, and

WHEREAS, the bids received for the fire fighting equipment

were opened at 2:00 p.m. on April 24, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Western Fire Company in the amount of $314.25 (items on attached Schedule "A")

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Fire Company in the amount of $314.25

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Western Fire

24	6	Pick-Head Fire Axe	15.00		90.00
36	3	Portable Rewind Reels	50.66		151.98
43	3	#740 Spotlight	18.16		54.48
					296.46
				Tax	17.79
					$ 314.2

SCHEDULE "A"
FIRE FIGHTING EQUIPMENT
WESTERN FIRE COMPANY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-468

A RESOLUTION ACCEPTING THE BID OF AMERICAN TRANSIT MIX FOR READY-MIXED CONCRETE FOR THE 1979-80 FISCAL YEAR

WHEREAS, Resolution No. 79-350 **, adopted by the Council of the City of Modesto on** April 17, 1979 **, approved the plans and specifications for the** ready-mixed concrete for the 1979-80 fiscal year

and authorized the calling for bids, and

WHEREAS, the bids received for the ready-mixed concrete for the 1979-80 fiscal year

were opened at 2:20 p.m. on May 1, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** American Transit Mix in the amount of $15,000

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of American Transit Mix in the amount of $15,000

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright and Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-469

A RESOLUTION ACCEPTING THE BID OF PERVO PAINT COMPANY FOR TRAFFIC LINE PAINT

WHEREAS, Resolution No. 79-352, adopted by the Council of the City of Modesto on April 17, 1979, approved the plans and specifications for the annual requirements of traffic line paint

and authorized the calling for bids, and

WHEREAS, the bids received for the annual requirements of traffic line paint

were opened at 2:30 p.m. on May 1, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Pervo Paint Company in the amount of $33,400

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pervo Paint Company in the amount of $33,400

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-470

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $13,000 FROM GENERAL RESERVE FOR PURCHASE OF VACUUM TRUCK

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 212)	$13,000
TO:	P/W Sewer Service Vacuum Truck (6971 212)	$13,000

To provide for a portion of the purchase of vacuum truck to be jointly used in digester cleaning at Waste Water Treatment Plant and rock well cleaning by Streets Division.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-471

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FOR ONE CATCH BASIN CLEANER TRUCK

WHEREAS, Resolution No. 79-281 , adopted by the Council of the City of Modesto on April 3, 1979 , approved the plans and specifications for the purchase of one catch basin cleaner truck (Vacuum truck)

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one catch basin cleaner truck

were opened at 2:15 p.m. on April 24, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond in the amount of $100,570.68

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $100,570.68

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May,

19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-472

A RESOLUTION ACCEPTING THE CONSTRUCTION OF HEATER REMIX SLURRY SEAL OF "I" STREET FROM FIRST TO EIGHTH AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of heater remix slurry seal of "I" Street from First to Eighth Streets has been completed by Valley Slurry Seal Company

in accordance with the contract agreement dated October 2, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of heater remix slurry seal of "I" Street from First to Eighth Streets be accepted from said contractor, Valley Slurry Seal Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $28,397.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-473

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUBLIC IMPROVEMENTS - HOUSING TARGET AREA NO. 2

WHEREAS, a report has been filed by the Director of Public Works that the construction of public improvements - Housing Target Area No. 2 has been completed by George Reed, Inc.

in accordance with the contract agreement dated September 28, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of public improvements - Housing Target Area No. 2 be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $104,398.43 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-474

RESCINDED
1992-201
THIS RESOLUTION WAS RESCINDED BY MODESTO CITY COUNCIL RESOLUTION

A RESOLUTION AMENDING RESOLUTION NO. 77-488 ENTITLED "A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO APPROVING THE CONFLICT OF INTEREST CODE OF THE POLICE DEPARTMENT OF THE CITY OF MODESTO".

WHEREAS, by Resolution No. 77-488, adopted on May 9, 1977, the City Council, pursuant to Government Code Section 87303, approved the Conflict of Interest Code of the Police Department of the City of Modesto, and

WHEREAS, since approval of said Code there have been changed circumstances necessitating amendment of Exhibit "A" of said Code in that the position of Superivising Clerk II with Disclosure Category 2 should be deleted, the position of Police Records Commander with Disclosure Category 2 should be added, the position of Administrative Analyst with Disclosure Category 2 should be added, the position of Captain with Disclosure Category 1 should be changed to Police Captain with Disclosure Category 1, and the position of Records Supervisior with Disclosure Category 2 should be changed to Police Records Supervisor with Disclosure Category 2. A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Exhibit "A" of Resolution No. 77-488 entitled "A Resolution of the Council of the City of Modesto Approving the Conflict of Interest Code of the Police Department of the City of Modesto" is hereby amended to delete the position of Supervising Clerk II, with Disclosure Category 2, to add the position of Police Records Commander, with Disclosure Category 2, to add the position of Administrative Analyst, with Disclosure Category 2, to change the position of Captain, with Disclosure Category 1, to Police Captain, with Disclosure Category 1, and to change the position of Records Supervisor, with Disclosure Category 2, to Police Records Supervisor, with Disclosure Category 2. A copy of Exhibit "A", as amended, is attached hereto and made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

EXHIBIT "A"

Designated Positions:	Disclosure Category
Chief of Police	1
Assistant Chief of Police	1
Police Captain	1
Police Records Commander	2
Police Records Supervisor	2
Administrative Analyst	2

MODESTO CITY COUNCIL
RESOLUTION NO. 79-475

A RESOLUTION DENYING THE APPEAL FILED BY MID VALLEY ENGINEERING ON BEHALF OF P. M. L. INC. FOR AN AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED ALONG THE WEST SIDE OF CARVER ROAD NORTH OF SHELDON DRIVE.

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by P. M. L. Inc. February 21, 1979, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located along the west side of Carver Road north of Sheldon Drive described as follows:

All that portion of Section 7, Township 3 South, Range 9 East, M. D. B. &M. described as follows:

All of Parcel 1, 3, and 4 as shown on the map filed in Book 27 of Parcel Maps at page 98, in the Stanislaus County Records, including all that portion of Carver Road situated between the centerline of Carver Road and the east property line of said Parcels 1, 3, and 4.

Containing approximately 0.492 net acres,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of March 19, 1979, and continued to April 16, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said continued hearing on April 16, 1979, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-101, denied the requested amendment to Section 7-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property described above located along the west side of Carver Road north of

Sheldon Drive in the City of Modesto for the following reasons:

1. The subject property is located in the interior of the Goldsworthy Neighborhood away from the perimeter of major streets of that neighborhood.

2. The proposed R-2 rezoning does not conform to the locational criteria as contained in the policy prototype of the Modesto Urban Area General Plan.

3. Approval of the requested strip R-2 zoning would proliferate R-2 zoning along carver Road, an outmoded pattern no longer employed,

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated April 17, 1979, from Mid Valley Engineering, on behalf of P. M. L. Inc., to the decision of the Planning Commission denying its application to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property hereinabove described, located along the west side of Carver Road north of Sheldon Drive, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California at 4:00 o'clock p. m. on Tuesday, May 15, 1979, and

WHEREAS, at said meeting, said Council after hearing evidence both oral and documentary, found and determined that the appeal filed by Mid Valley Engineering on behalf of P. M. L. Inc. to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, of the property described above located along the west side of Carver Road north of Sheldon Drive in the City of Modesto, should be denied for the reasons set forth in Planning Commission Resolution No. 79-101, and quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered

the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Mid Valley Engineering, on behalf of P. M. L. Inc., to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-101 denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, of the above described property, located along the west side of Carver Road north of Sheldon Drive in the City of Modesto, be denied, for the reasons set forth in Planning Commission Resolution No. 79-101, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott

ABSENT: Councilmembers: Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-476

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON PRESENTATION OF THE 1979-80 PRELIMINARY BUDGET

BE IT HEREBY RESOLVED by the Council of the City of Modesto that June 12, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** presentation of the 1979-80 Preliminary Budget.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May **, 19**79**, by Councilmember** Elliott **, who moved its adoption, which motion being duly seconded by Councilmember** Kullijian **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-477

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CUSTOM EXEC AIR INC. FOR AN AIR TAXI OPERATION AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Custom Exec Air Inc.

for an air taxi operation at the Modesto City-County Airport on a month-to-month basis until terminated by either party

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-478

A RESOLUTION APPROVING AGREEMENT REASSIGNING LEASE FROM EXECUTIVE SKYWAYS TO EXECUTIVE SKYWAYS, INCORPORATED

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Executive Skyways, Incorporated for the lease of Hangar #1, Suite "B" of Office Building #2 and 18 aircraft tie-down spaces, to expire June 30, 1980

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-479

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND RALPH F. AND DARLENE R. HATTON FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 311 TRASK LANE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Ralph F. and Darlene R. Hatton **for** sewer service to property outside City limits at 311 Trask Lane, located on the southwest corner of Bellamy Street and Trask Lane **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-480

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MUSED A. AND DINE ZOKARI FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1122 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mused A. and Dine Zokari **for** sewer service to property outside City limits at 1122 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-481

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ANTONIO AND ESTHER L. VALDEZ FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 812 LOMBARDO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Antonio and Esther L. Valdez **for** sewer service to property outside City limits at 812 Lombardo Avenue, located on the south side of Lombardo Ave. between Anthony Ave. and Romeo Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th **day of** May, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-482

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 30-3-9 OF THE ZONING MAP (ERROL VRH)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 7, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 30-3-9 of the Zoning Map, to rezone from R-1 to P-D, property located on the northeast corner of Carpenter Road and Elm Avenue

the following described property:

All of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of the Southerly portion of Lot 9 of Maze Ranch Subdivision according to the map filed in Book 4 of Maps, at Page 18 in the Stanislaus County Records, bounded by the East line of Carpenter Road, a 90-foot roadway, by the South line of the property deeded to the State of California, for freeway purposes on June 12, 1961 in Book 1689 at Page 513, by the West line of Elmwood Estates No. 3, filed in Volume 23 of Maps, at Page 49 all in Stanislaus County Records and by the South line of said Lot 9 also being the centerline of Elm Avenue, a 40-foot roadway.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-122 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 30-3-9 of the Zoning Map be set for June 12, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-483

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATIONS OF ASSISTANT PLANNER, ASSOCIATE PLANNER AND SENIOR PLANNER PROVIDED UNDER THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, revisions to the job specifications for the classifications of Assistant Planner, Associate Planner and Senior Planner in the City of Modesto's Position Classification Plan have been recommended by the City Manager, and

WHEREAS, said revisions have been recommended because of a reorganization of the Planning and Community Development Department assignments, changes in the labor market and the desire to have an upward mobility career ladder,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the job specifications for the positions of Assistant Planner, Associate Planner and Senior Planner be revised as shown on the attached Exhibits "A", "B" and "C", which by this reference are made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the specifications for Assistant Planner, Associate Planner and Senior Planner as shown on Exhibits "A", "B" and "C" are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 15th day of May, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly

seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

ASSISTANT PLANNER

DEFINITION

Under direction, is responsible for the preparation of major sections of the general plan or community plans of the City, and/or the processing of land development plans; performs a variety of field and office work in the preparation and presentation of such plans; and does other related duties.

DISTINGUISHING CHARACTERISTICS

This class differs from Associate Planner in that there is no requirement for project leadership. The emphasis is on collection and interpretation of data and the technical preparation of planning reports. Work is subject to final review by a higher level.

EXAMPLES OF DUTIES

Performs one or more of the following types of assignments:

(A) Analyzes the needs and compiles the information required to prepare one or more elements of the general plan; urban growth policy review and related reports; presents planning proposals at informal meetings and public hearings; prepares land use maps and zoning maps; compiles and analyzes data for special reports.

(B) Prepares and reviews plans for the subdivision and development of land such as neighborhood zoning and development plans; advises developers in the design of proposed subdivisions and plot plans and processes such plans as required by the subdivision and zoning regulations.

(C) Writes staff reports and processes applications for zoning changes, variances and use permits; provides information to the public on possible uses of land, physical design constraints, and other use limitations; makes presentations to the Board of Zoning Adjustment; drafts proposed zoning regulation amendments to the Municipal Code.

(D) Writes, compiles, and illustrates departmental reports; drafts charts and diagrams for use in departmental presentations at meetings, drafts revisions to maps; provides consultation to citizens and developers regarding these matters.

(E) Processes documents and other materials for Environmental Impact reports.

(F) Oral presentations before the Planning Commission, Board of Zoning Adjustment, Local Agency Formation Commission and related boards and committees.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within two months after appointment.

Incumbents will be required to file a statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

Basic principles, practices, and trends of public planning;
Statistical and research methods as applied to the collection and tabulation of data effecting urban planning;
Graphic illustration and presentation;
Purposes, policies, and procedures of the City Council, Planning Commission, Board of Zoning Adjustment and the Local Agency Formation Commission.

and

Ability to:

Collect, analyze, and compile technical, statistical and related information pertaining to planning and zoning research;
Make presentations before governmental bodies with planning related responsibilities;
Prepare concise written and oral reports;
Prepare charts, maps, and other graphic illustrations;
Coordinate the work of assisting employees;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years of experience in planning. College education with major course work in City, urban, or regional planning, or a related field, may be substituted for the required experience on a year-for-year basis up to a maximum of three years. A Master's degree in an appropriate field may be substituted for the required experience.

ASSOCIATE PLANNER

DEFINITION

Under direction, to perform the more difficult and complex professional planning work; to prepare planning reports; to provide project supervision to professional and other planning employees; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the fully qualified journey level in the professional planning area. Incumbents whose positions are assigned to this class perform the more difficult professional planning assignments, with great latitude for initiative and independent judgments. Incumbents in this class may be assigned to provide lead supervision and training on a project basis.

EXAMPLES OF DUTIES

Provides project leadership and participates in the preparation and administration of any of the following functions: (a) the General Plan of the City and the Urban Growth Policy; (b) subdivision regulations and land development; (c) zoning regulations, variances and use permits; (d) neighborhood zoning and development plans; (e) writes planning, research, and statistical reports; and (f) interprets the planning program and related ordinances to the public. Frequent oral presentations are required before the Planning Commission, Board of Zoning Adjustment, Local Agency Formation Commission and related boards and committees.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within two months after appointment.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

- Theory, principles, and practices of urban planning;
- Purposes, policies, and procedures of the City Council, Planning Commission, Board of Zoning Adjustment, and Local Agency Formation Commission;
- Current trends in Federal, State, regional and local planning;
- Laws, ordinances, and regulations governing planning in California;
- Principles of training and supervision;
- Long range planning needs.

and

Ability to:

Collect, tabulate, organize, and present economic, environmental, demographic and other facts and statistics;
Organize, conduct, and present major planning research studies;
Analyze data and evaluate facts;
Apply applicable laws and regulations to planning projects;
Provide lead supervision, training, and project guidance to other planning employees;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Six years of experience in city, urban, or regional planning. College education with major course work in city, urban or regional planning or a related field may be substituted for the required experience on a year-for-year basis up to a maximum of three years. A Master's degree in an appropriate field may be substituted for four of the six years of the required experience.

SENIOR PLANNER

DEFINITION

Under direction, to plan, organize, and supervise the work of a major division of the Planning Department; to assist the Director of Planning and Community Development in the development and implementation of departmental policies and procedures; to perform complex special planning studies; and to do related work as required.

DISTINGUISHING CHARACTERISTICS:

This class is distinguished by the assignment of full supervisory responsibilities over professional and other planning employees. Normally, positions in this class will be assigned supervisory responsibilities over a major division of the department such as the current planning division or the advance planning division. In addition to the supervisory responsibilities, positions perform professional planning work on the most difficult studies and are responsible for many presentations before the City Council, Planning Commission, Board of Zoning Adjustment, Local Agency Formation Commission and related boards. Incumbents also provide assistance to the Director in the formulation of departmental policies and coordination of departmental activities.

EXAMPLES OF DUTIES:

Plans, organizes, and supervises the work of a major division of the Planning Department such as current planning or advance planning; provides professional assistance to the projects of other planning staff; supervises the preparation and distribution of agenda reports for Planning Commission and Board of Zoning Adjustment meetings; prepares resolutions for adoption by the Planning Commission and Board of Zoning Adjustment; performs complex professional planning work on special studies; makes the more difficult presentations to the City Council, Planning Commission, the Board of Zoning Adjustment, and the Local Agency Formation Commission; directs and supervises the preparation of graphic materials for departmental reports; assists the Director in the formulation and coordination of departmental procedures and policies; represents the department before public agencies, business groups, and civic groups; supervises the preparation of Municipal Code text amendments regarding zoning and planning; interviews prospective employees and assists with the evaluation of their qualifications; may act in the capacity of the Director of Planning and Community Development in his/her absence.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within two months after appointment.

Incumbents will be required to file a Statement of Economic Interests.

Exhibit "C"

EMPLOYMENT STANDARDS

Knowledge of:

Theory, principles, and practices of urban planning;
Purposes, policies, and procedures of the City Council, Planning Commission, Board of Zoning Adjustment, Stanislaus Area Association of Governments, and Local Agency Formation Commission;
Current trends in Federal, State, regional, and local planning;
Laws, ordinances, and regulations governing in California;
Long range planning needs;
Principles of supervision, training, and managing a division's activities.

and

Ability to:

Supervise the collection, tabulation, organization, and presentation of economic, environmental, demographic and other facts and statistics;
Organize, conduct, and present major planning research studies;
Analyze data and evaluate facts;
Apply applicable laws and regulations to planning projects;
Organize, supervise, and review the work of a staff performing current or advance planning work;
Assist the Director of Planning in the establishment and administration of departmental procedures and policies;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Seven years of experience in planning. College education with major course work in city, urban, or regional planning, or a related field, may be substituted for the required experience on a year-for-year basis up to a maximum of three years. A Master's degree in an appropriate field may be substituted for four years of the required experience.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-484

A RESOLUTION SUPPORTING THE MODESTO IRRIGATION DISTRICT'S 14.2 MILLION DOLLAR REVENUE BOND ISSUE TO BE VOTED UPON ON JUNE 5, 1979.

WHEREAS, the Modesto Irrigation District has proposed a 14.2 million dollar revenue bond issue to finance a Peaking Power Plant, and

WHEREAS, said bond issue will be voted upon on June 5, 1979, and

WHEREAS, peaking power is expensive to purchase from other sources, and if this bond issue is approved to finance the construction of a Peaking Power Plant, peaking power will be generated at a cost that is less than purchasing it from present outside sources,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby endorses the Modesto Irrigation District's Peaking Power Plant revenue bond issue which will be voted upon on June 5, 1979, and urges support of said revenue bond issue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-485

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REROOFING FIRE STATION NO. 1

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for reroofing Fire Station No. 1

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 5, 1979, at 11:05 a.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Acting Mayor Kullijian Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-486

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THE CITY'S ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing the City's annual requirements of liquid and emulsified asphalts **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 12, 1979, at 2:10 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Siefkin, Acting Mayor Lang, Muratore, Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-487

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID CHLORINE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing annual requirements of liquid chlorine **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 12, 1979, at 2:30 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Siefkin, Acting Mayor Lang, Muratore, Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Cyle
NORRINE CYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-488

A RESOLUTION ACCEPTING THE BID OF BEST CHEVROLET FOR FURNISHING TWO ½-TON PICKUPS AND ONE WALK-THROUGH VAN

WHEREAS, Resolution No. 79-315 **, adopted by the Council of the City of Modesto on** April 10, 1979 **, approved the plans and specifications for the** furnishing of two ½-ton pickups and one walk-through van

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of two ½-ton pickups and one walk-through van

were opened at 2:05 p.m. on May 1, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Best Chevrolet in the amount of $11,478 for the two pickups, and $8,843.98 for the walk-through van

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Best Chevrolet in the amount of $11,478 for the two pickups, and $8,843.98 for the walk-through van

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-489

A RESOLUTION ACCEPTING THE BID OF WESTERN TRUCK AND CORVETTE FOR FURNISHING CITY BUS BODY WORK AND PAINTING SERVICES

WHEREAS, Resolution No. 79-339 **, adopted by the Council of the City of Modesto on** April 10, 1979 **, approved the plans and specifications for the** purchase of bus body work and painting services

and authorized the calling for bids, and

WHEREAS, the bids received for the bus body work and painting services

were opened at 2:00 p.m. on May 8, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Western Truck and Corvette in the amount of $7,126.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Truck and Corvette in the amount of $7,126.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May ,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-490

A RESOLUTION ACCEPTING THE BID OF AMERICAN DISTRICT TELEGRAPH COMPANY OF SAN FRANCISCO FOR THE INSTALLATION OF McHENRY MUSEUM FIRE ALARM SYSTEM

WHEREAS, Resolution No. 79-389 **, adopted by the Council of the City of Modesto on** April 24, 1979 **, approved the plans and specifications for the** installation of McHenry Museum fire alarm system

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of McHenry Museum fire alarm system

were opened at 2:00 p.m. on May 15, 1979 **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** American District Telegraph Company of San Francisco in the amount of $6,518.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of American District Telegraph Company of San Francisco in the amount of $6,518.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Cozle
NORRINE COZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-491

A RESOLUTION ACCEPTING THE CONSTRUCTION OF LAKEWOOD AVENUE SEWER TRUNK TRENCH REPAIR - PHASE II

WHEREAS, a report has been filed by the Director of Public Works that the construction of Lakewood Avenue sewer trunk trench repair - Phase II has been completed by Flintkote Company

in accordance with the contract agreement dated February 13, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Lakewood Avenue sewer trunk trench repair - Phase II be accepted from said contractor, Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $41,038 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Acting Mayor Kullijian Lang, Muratore, Siefkin,

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-492

A RESOLUTION ACCEPTING THE REMOVAL OF OBSTRUCTIONS IN AIRPORT CLEAR ZONE ON RIVER ROAD - PARCELS D-1, D-2 AND D-3, FAA-ADAP #8-06-0153-02 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the** removal of obstructions in airport clear zone on River Road - Parcels D-1, D-2 and D-3, FAA-ADAP $8-06-0153-02 **has been** completed by Modesto Sand and Gravel, Inc.

in accordance with the contract agreement dated February 6, 1979.

NOW, THEREFORE, BE IT RESOLVED that the removal of obstructions in airport clear zone on River Road - Parcels D-1, D-2 and D-3, FAA-ADAP #8-06-0153-02 **be accepted from said contractor,** Modesto Sand and Gravel, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $11,800 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Siefkin, Acting Mayor Lang, Muratore, Kullijian

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

PROJECT NO. 1

MODESTO CITY COUNCIL
RESOLUTION NO. 79-493

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 84, 92, 94, 85, 86, 63, 93, 56)

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required. and

WHEREAS, the Superintendent of Streets did, on April 30 19 79 order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 22nd day of May, 19 79, at 7:30 o'clock P.M., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work, and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are

attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Siefkin, Mayor Pro Tem Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-494

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE COMPANY FOR THE RECONSTRUCTION OF DOWNTOWN ALLEYS IN BLOCKS 56, 63, 84, 85, 86, 92, 93 and 94

WHEREAS, Resolution No. 79-400 **, adopted by the Council of the City of Modesto on** May 1, 1979 **, approved the plans and specifications for the** reconstruction of downtown alleys in Blocks 56, 63, 84, 85, 86, 92, 93 and 94 **and authorized the calling for bids, and**

WHEREAS, the bids received for the reconstruction of downtown alleys in Blocks 56, 63, 84, 85, 86, 92, 93 and 94 **were opened at** 11:05 a.m. on May 15, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Flintkote Company in the amount of $103,139

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Flintkote Company in the amount of $103,139

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May **,**

19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Muratore, Siefkin, Mayor Pro Tem Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-494A

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL RESERVE TO DOWNTOWN BEAUTIFICATION/ALLEY IMPROVEMENT ACCOUNT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60-00 800 218)	$15,000
	Contingency Reserve (61-00 800 218)	$ 7,500
TO:	Downtown Beautification (6909 60 218)	$15,000
	Downtown Beautification/Alley Improvement (6301 60 218)	$ 7,500

To cover the cost of alley reconstruction - low bids were in excess.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Lang, Muratore, Siefkin, Mayor Pro Tem Elliott

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-495

A RESOLUTION DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO THE ADOPTION OF A SPECIFIC PLAN FOR ROSELLE AVENUE BETWEEN BRIGGSMORE AVENUE AND FLOYD AVENUE.

WHEREAS, a public hearing was held by the City Council of the City of Modesto on May 22, 1979, on the adoption of a specific plan for Roselle Avenue between Briggsmore Avenue and Floyd Avenue, and

WHEREAS, the City Council certifies that at said hearing it received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact on the adoption of a specific plan for Roselle Avenue between Briggsmore Avenue and Floyd Avenue, and

WHEREAS, on May 22, 1979, the City Council introduced an ordinance adopting a specific plan for Roselle Avenue between Briggsmore Avenue and Floyd Avenue,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the adoption of a specific plan for Roselle Avenue between Briggsmore Avenue and Floyd Avenue.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution

adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-496

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (224).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Ray Miller on March 19, 1979, to reclassify from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, the following described property:

All that portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

R-2 to P-D

All of Parcel 1 as shown on the map filed in Book 25 of Parcel Maps at Page 72, in the Stanislaus County Records, including also the Southerly 10.00 feet of Fairmont Avenue immediately adjacent to said Parcel 1.

C-1 to P-D

All of Parcel 3 as shown on the map filed in Book 25 of Parcel Maps at Page 72, in the Stanislaus County Records, including also the Westerly 45.00 feet of Coffee Road immediately adjacent to said Parcel 3.

WHEREAS, after public hearing held on April 16, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone allows a development pattern and density which is consistent with the existing zoning except that the P-D allows condominiums rather than rental apartments.

2. The proposed residential development plan is compatible with surrounding developments by virtue of ample off-street parking, non-utilization of the alley to the west except for trash pick-up, and higher standard fencing.

WHEREAS, after a public hearing held on May 22, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Ray Miller for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1832-C.S. on the 22nd day of May, 1979, reclassifying the above-described property from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (224).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (224), is hereby approved in accordance with the plan titled "Proposed P-D Zoning: George Rose" _____, as amended in red on its face, stamped approved by the Planning Commission on April 16, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above referred to plan, as amended in red on its face, stamped approved by the Planning Commission on April 16, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common open space improvement and maintenance in accordance with the approved plans.

5. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

7. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the south, east, and west property lines.

8. **That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.**

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. **That prior to occupancy of the 11 condominium units, the applicant shall improve one half the width of the adjoining alley in accordance with the requirements of the Director of Public Works.**

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (224):

The entire construction program shall be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (224) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Knight
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-496

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (224).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Ray Miller on March 19, 1979, to reclassify from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, the following described property:

All that portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

R-2 to P-D

All of Parcel 1 as shown on the map filed in Book 25 of Parcel Maps at Page 72, in the Stanislaus County Records, including also the Southerly 10.00 feet of Fairmont Avenue immediately adjacent to said Parcel 1.

C-1 to P-D

All of Parcel 3 as shown on the map filed in Book 25 of Parcel Maps at Page 72, in the Stanislaus County Records, including also the Westerly 45.00 feet of Coffee Road immediately adjacent to said Parcel 3.

WHEREAS, after public hearing held on April 16, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone allows a development pattern and density which is consistent with the existing zoning except that the P-D allows condominiums rather than rental apartments.

2. The proposed residential development plan is compatible with surrounding developments by virtue of ample off-street parking, non-utilization of the alley to the west except for trash pick-up, and higher standard fencing.

WHEREAS, after a public hearing held on May 22, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Ray Miller for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1832-C.S. on the 22nd day of May, 1979, reclassifying the above-described property from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (224).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN, The development plan for Planned-Development Zone, P-D (224), is hereby approved in accordance with the plan titled "Proposed P-D Zoning: George Rose" _____, as amended in red on its face, stamped approved by the Planning Commission on April 16, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above referred to plan, as amended in red on its face, stamped approved by the Planning Commission on April 16, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common open space improvement and maintenance in accordance with the approved plans.

5. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

7. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the south, east, and west property lines.

8. **That prior to the issuance of a building permit for any structure a subdivision map shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.**

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. **That prior to occupancy of the 11 condominium units, the applicant shall improve one half the width of the adjoining alley in accordance with the requirements of the Director of Public Works.**

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (224):

The entire construction program shall be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (224) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Dennis
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-497

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RAY MILLER)

WHEREAS, on May 22, 1979, the City Council introduced Ordinance No. 1832 -C. S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D (224), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Neighborhood Commercial Zone, C-1, and Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(224).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-498

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ROLAND D. LOGAN)

WHEREAS, on May 22, 19 79, the City Council introduced Ordinance No. 1832 -C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 499

A RESOLUTION ESTABLISHING A T-HANGAR STORAGE POLICY AT THE MODESTO CITY-COUNTY AIRPORT / HARRY SHAM FIELD.

WHEREAS, the City Staff and the Airport Advisory Committee for the Modesto City-County Airport/Harry Sham Field have recommended that the City Council establish a T-Hangar Storage Policy at said Airport, and

WHEREAS, the Council is desirous of establishing a T-Hangar Storage Policy at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto hereby establishes a T-Hangar Storage Policy at the Modesto City-County Airport/Harry Sham Field, which policy is as set forth on Exhibit "A" attached hereto, and made a part hereof by this reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin
Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

T-HANGAR STORAGE POLICY

Aircraft Storage - The primary purpose of the T-hangars will be for the storage of aircraft that are owned or leased by the Lessee(s) that are named on the lease agreement. That is to say that when the aircraft is sold the new owner does not retain the right to transfer the lease of the T-hangar in which the aircraft was previously stored.

Sale of Aircraft - When an aircraft is sold to another individual, the T-hangar does not revert to the new owner. When an aircraft is sold and is moved out of the Lessees T-hangar, the Lessee shall have sixty (60) days in which to purchase another aircraft. In the event that the Lessee does not purchase another aircraft within that time period the lease shall automatically be terminated.

Lessee shall notify the Airport Manager whenever there is a change in the ownership of an aircraft that is stored in the T-hangar.

Authorized Maintenance - Aircraft repairs inside the T-hangars shall be limited to those repairs performed by the owner and permitted by Federal Aviation Regulations, but excluding any spray painting, or cleaning with flammable solvents. Maintenance or repair of aircraft or aircraft components for compensation shall be prohibited in the T-hangars. The purchase or sale of aircraft or aircraft components for compensation shall be prohibited in the T-hangars.

Authorized Storage - The following items may be stored in the T-hangar storage facilities:

1. Vehicles - includes automobiles, campers, pickups, snowmobiles and motorcycles owned by the Lessee(s). Those T-hangars that will facilitate the storage of vehicles (example; corner T-hangar units) at the same time the aircraft is in the hangar may store said vehicles for extended periods of time if registered with the Airport Manager. The maintenance or repair of any kind of said vehicles is prohibited.

2. Flammable liquids - all such liquids must be stored in approved containers which do not constitute a fire hazard.

3. Compressed gases - no more than two portable cylinders of aviation oxygen properly secured.

4. Air Compressors - gasoline or electrically driven air compressors may be stored in those individual T-hangars.

5. Other items - tool boxes, storage cabinets, work benches, etc., owned by the Lessee(s) used in support of the maintenance of the owners aircraft may be stored in individual T-hangars.

Unauthorized Storage - The following articles shall not be stored in T-hangar facilities:

1. Any personal item not directly related to the maintenance or operation of the Lessee(s) aircraft. These items include household furniture, clothing, commercial appliances, etc., or items which the Fire Department consitiues as a fire hazard.

Housekeeping - all T-hangars shall be kept in a neat and clean manner. The accumulation of oily rags, debris and other hazardous materials shall not be allowed.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-500

A RESOLUTION DETERMINING THAT CROSSING GATES ARE NOT NEEDED AT THE TIDEWATER SOUTHERN RAILROAD CROSSING OF TULLY ROAD AT STODDARD AVENUE.

WHEREAS, Cal Trans has proposed crossing gates on Tully Road at the Tidewater Southern Railroad crossing at Stoddard Avenue, with the cost thereof to be funded partially with federal money and partially by the City of Modesto, and

WHEREAS, by reports dated April 24, 1979, and May 9, 1979, by the Director of Parking and Traffic, copies of which are on file in the office of the City Clerk, the Director of Parking and Traffic has recommended against the installation of said crossing gates, for the reasons set forth in those reports, and

WHEREAS, the Council has considered said reports and a report from the City Attorney dated May 17, 1979, which is also on file in the office of the City Clerk, and

WHEREAS, the Council has reviewed a drawing entitled "T. S. R. R. Crossings Tully & Stoddard, May 22, 1979", which drawing is on file in the office of the City Clerk, and

WHEREAS, said drawing shows the location and relationships of Tully Road, Stoddard Avenue, the Tidewater Southern Railroad tracks in Stoddard Avenue, the Tidewater Southern Railroad crossings of Tully Road and the Southern Pacific Railroad tracks crossing of Tully Road,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby finds that the addition of crossing gates at the Tidewater Southern Railroad crossing of Tully Road at Stoddard Avenue as proposed by Cal Trans is not necessary for the reasons set forth in the above referred to reports by the Director of Parking and Traffic and the City Attorney,

BE IT FURTHER RESOLVED that the Council approves the present design of the hereinabove section of Tully Road and Stoddard Avenue without railroad crossing gates.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-501

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT TO GIVE CITY LICENSE TO DISCHARGE STORM DRAIN WATER INTO M.I.D. LATERAL NO. 3

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District to give City license to discharge storm drain water in M.I.D. Lateral No. 3

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-502

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AND THE STATE DEPARTMENT OF PARKS AND RECREATION APPROVING THE PROJECT AGREEMENT FOR THE LAND AND WATER CONSERVATION FUND PROGRAM (MUNCY NEIGHBORHOOD PARK)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State Department of Parks and Recreation **for** the grant application for Muncy Neighborhood Park under the Land and Water Conservation Fund Program in the amount of $57,912 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-503

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR COMMUNITY RECREATION FOR FISCAL YEAR 1978-79

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the County of Stanislaus

for community recreation for fiscal year 1978-79 (County will allocate and transfer to the City $40,638.83 for expenditures by the City)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd **day of** May, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Siefkin, Acting Mayor Lang, Muratore, Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-504

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, a 1978 FMC Brush Chipper and a 1966 Ford Tractor have become surplus property as a result of new equipment purchases, and 50 cords of wood, "turn out" gear consisting of 69 coats, 57 pants and 31 helmets, and a pneumatic tire roller are surplus properties to the city's present needs,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell to the highest bidder the following items of personal property of the City of Modesto. Said personal property is hereby found to be surplus:

Unit	Year	Sale Price
FMC Brush Chipper	1978	$7,800.00 minimum
Ford Tractor	1966	-
50 cords of wood	-	Lump sum basis
Turn out gear consisting of 69 coats, 57 pants and 31 helmets	-	Lump sum basis
Pneumatic tire roller	-	-

SECTION 2. The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-505

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (MORGAN)

WHEREAS, on December 4, 1978, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 78-1228, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> The Northern 40.00 feet, measured at right angles, of the following described property:
>
> Commencing at the Northeast corner of said Section 21; thence South 0° 41'30" East along the East line of Section 21, 1317.60 feet; thence North 89° 47' West along the center line of Orangeburg Avenue 456.66 feet to the true point of beginning of this description; thence continuing North 89° 47' West along the center line of Orangeburg Avenue 50.00 feet; thence South 0° 45' 15" East 125.00 feet; thence South 89° 47' East 50.00 feet; thence North 0° 45' 15" West 125.00 feet to the true point of beginning of this description.

and

WHEREAS, subsequent to the date of adoption of said Resolution of Necessity, and on March 7, 1979, the owners of the real property described above sold said property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 78-1228, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT (MORGAN)" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department
5-17-79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-506

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (BLACK)

WHEREAS, on December 4, 1978, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 78-1230, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> The Northern 15.00 feet, measured at right angles, of the Southern 40.00 feet, of the following described property:
>
> The West half of the South one acre of the West two acres of Lot 11 of the COOLIDGE COLONY, as per Map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

and

WHEREAS, subsequent to the date of adoption of said Resolution of Necessity, and on February 20, 1979, the owners of the real property described above sold said property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 78-1230, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT (BLACK)" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979,

by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-507

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (KRUM)

WHEREAS, on December 4, 1978, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 78-1229, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 28 of the MENSINGER COLONY, as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:
>
> The North 40.00 feet, measured at right angles, and a triangular parcel bounded on the North by the South line of the North 40.00 feet and bounded on the West by the East line of 40.00 foot Fiori Avenue and bounded on the Southeast by a tangent curve concave to the Southeast, having a Radius of 15.00 feet, all being a part of the property described as follows:
>
> Commencing at the true Northeast corner of said Lot 28, said true Northeast corner being in the center of County Road on the North; thence West along the North line of said Lot a distance of 197 feet to the Northwest corner of tract conveyed to Ben Guidotti and wife by Deed recorded January 26, 1937 as Instrument No. 1121, Stanislaus County Records, and point of commencement of this description; thence South along the West line of said Guidotti property a distance of 221.11 feet to the Southwest corner of said Guidotti property; thence West and parallel with the North line of said Lot 28 a distance of 113.33 feet, more or less, to a point on the East line of County Road, as now located and established along the West line of said Lot 28; thence North along the East line of said County Road a distance of 221.11 feet to a point in the center line of County Road on North of said Lot 28; thence East along the center line of said last mentioned County Road a distance of 113.33 feet, more or less, to the point of commencement.
>
> EXCEPTING THEREFROM the South 90 feet thereof.

and

WHEREAS, subsequent to the date of adoption of said Resolution of Necessity, and on February 26, 1979, the owners of the real property described above sold said

property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 78-1229, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT (KRUM)" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-508

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (SHURTZ)

WHEREAS, on December 4, 1978, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 78-1231, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being a portion of Lot 25 of the MENSINGER COLONY, as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records, described as follows:
>
> The Northern 40.00 feet, measured at right angles, and a triangular parcel bounded on the North by the South line of the North 40.00 feet and bounded on the West by the East line of 50.00 foot Melrose Avenue, said East line being parallel with and 20.00 feet, measured at right angles, Easterly from the West line of said Lot 25, and bounded on the Southeast by a tangent curve concave to the Southeast, having a Radius of 15.00 feet, all being a part of that property described as follows:
>
> The West one-half of the North one-half of Lot 25 of the MENSINGER COLONY, as per map filed May 18, 1909 in Volume 4 of Maps, Page 25, Stanislaus County Records.
>
> EXCEPTING THEREFROM the West 20.00 feet thereof for road purposes.

and

WHEREAS, subsequent to the date of adotpion of said Resolution of Necessity, and on March 28, 1979, the owners of the real property described above expressed their willingness to sell said property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 78-1231, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT (SHURTZ)" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

5-17-79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-509

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (CIPPONERI)

WHEREAS, on December 4, 1978, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 78-1232, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Northwest quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> PARCEL 1193-1
>
> The Northern 15.00 feet, measured at right angles, of the Southern 40.00 feet of the Eastern 133 feet of the South one-half of Lot 9 of the COOLIDGE COLONY, as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.
>
> PARCEL 1193-2
>
> The Northern 15.00 feet, measured at right angles, of the Southern 40.00 feet of the Western 92 feet of the South one-half of Lot 10 of the COOLIDGE COLONY, as per map filed November 15, 1910 in Volume 5 of Maps, Page 17, Stanislaus County Records.

and

WHEREAS, subsequent to the date of adoption of said Resolution of Necessity, and on May 4, 1979, the owners of the real property described above expressed their willingness to sell said property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 78-1232, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES INCLUDING THE ACQUISITION OF RIGHT-OF-WAY FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT (CIPPONERI)" is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Leo Campbell
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-510

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Scenic-Claus Annexation by Resolution No. 79-368 adopted on April 17, 19 79, and said annexation officially became a part of the City of Modesto on May 7, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

SCENIC-CLAUS ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records, said point being the center line of Scenic Drive;

1. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 47' 22" West, 1378.16 feet;

2. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 81° 17' 40" East, 526.34 feet;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 48' 30" West, 262.74 feet;

4. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 89° 21' 00" East, 655.66 feet, to the center line of 50.00 foot Claus Road;

5. thence leaving the existing City Limits and continuing along the center line of Claus Road, South 00° 47' 00" East, 1608.51 feet, to the intersection with the center line of Scenic Drive;

6. thence along the center line of Scenic Drive, South 89° 13' 00" West, 20.00 feet, to the beginning of a curve concave to the South, having a radius of 145.10 feet, a central angle of 18° 23' 00", and an Arc Length of 46.56 feet;

7. thence continuing along the center line of Scenic Drive, South 70° 50' 00" West, 245.91 feet, to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet, a central angle of 17° 57' 30", and an Arc Length of 109.70 feet;

8. thence North 01° 12' 30" West, 5.00 feet;

9. thence continuing along the center line of Scenic Drive, South 88° 48' 00" West, 769.86 feet, to the point of beginning containing 42.173 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-511

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE INDUSTRIAL FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Industrial Fire Protection District in Stanislaus County was annexed to the City of Modesto as Shackelford School Annexation by Resolution No. 79-369 adopted on April 17, 19 79, and said annexation officially became a part of the City of Modesto on May 7, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Industrial Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SHACKELFORD SCHOOL ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 4, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the CROWS LANDING INDUSTRIAL TRACT ADDITION (45), as per description filed August 5, 1952, as Instrument 18281, Stanislaus County Records, said point being on the center line of 60.00 foot Crows Landing Road, also being the West line of Section 4.

1. thence leaving the existing City Limits along the Southern line of a 10' alley, South 89° 51' 00" East, 658.85 feet, to the center line of 50.00 foot Bowie Avenue;

2. thence along said center line of Bowie Avenue, South 00° 02' 00" East, 497.00 feet, to the center line of 60.00 foot School Avenue;

3. thence along said center line of School Avenue, North 89° 51' 30" West, 658.49 feet, to the center line of 60.00 foot Crows Landing Road;

4. thence along the center line of Crows Landing Road, North 00° 04' 30" West, 497.10 feet, to the point of beginning, containing 7.516 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-512

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE WOODLAND FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Woodland Fire Protection District in Stanislaus County was annexed to the City of Modesto as Reno Avenue Annexation by Resolution No. 79-372 adopted on April 17, 19 79, and said annexation officially became a part of the City of Modesto on May 7, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Woodland Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

RENO AVENUE ANNEXATION

ALL that portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, County of Stanislaus, State of California, described as follows;

COMMENCING at the Northwest corner of said Section 30; thence South 0°51'15" East, along the West line of said Section 30, a distance of 1319.97 feet; thence South 89°49'10" East, along the North line of Parcel "1" and Parcel "3" as shown on the map filed in Book 4 of Parcel Maps at Page 84, Stanislaus County Records, 869.11 feet to the center line of Reno Avenue and the POINT OF BEGINNING of this description; thence South 0°53'15" East along said center line 250.00 feet; thence North 89°49'10" West, along the South line of said Parcel "3" and its Easterly extension 423.54 feet to the Southwest corner thereof; thence North 0°53'15" West along the West line of said Parcel "3", a distance of 250.00 feet to the Northwest corner thereof being on the existing City Limits Lines; thence South 89°49'10" East, along the North line of said Parcel "3" and its Easterly extension 423.54 feet to the point of beginning.

Contains 2.43 acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-513

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SCENIC-CLAUS ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-368 on April 17, 19 79, certain territory known as Scenic-Claus Annexation, and

WHEREAS, the inclusion of the area contained in Scenic-Claus Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Scenic-Claus Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 203.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, July 10, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the annexation at the west line of Claus Road.

(2) The southeast corner of the annexation at the west line of Claus Road.

(3) The southwest corner of the annexation at the north line of Scenic Drive.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 203, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

SCENIC-CLAUS ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records, said point being the center line of Scenic Drive;

1. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 47' 22" West, 1378.16 feet;

2. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 81° 17' 40" East, 526.34 feet;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 48' 30" West, 262.74 feet;

4. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 89° 21' 00" East, 655.66 feet, to the center line of 50.00 foot Claus Road;

5. thence leaving the existing City Limits and continuing along the center line of Claus Road, South 00° 47' 00" East, 1608.51 feet, to the intersection with the center line of Scenic Drive;

6. thence along the center line of Scenic Drive, South 89° 13' 00" West, 20.00 feet, to the beginning of a curve concave to the South, having a radius of 145.10 feet, a central angle of 18° 23' 00", and an Arc Length of 46.56 feet;

7. thence continuing along the center line of Scenic Drive, South 70° 50' 00" West, 245.91 feet, to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet, a central angle of 17° 57' 30", and an Arc Length of 109.70 feet;

8. thence North 01° 12' 30" West, 5.00 feet;

9. thence continuing along the center line of Scenic Drive, South 88° 48' 00" West, 769.86 feet, to the point of beginning containing 42.173 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on May 22, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: May 22, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-514

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SHACKELFORD SCHOOL ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-369 on April 17, 19 79, certain territory known as Shackelford School Annexation, and

WHEREAS, the inclusion of the area contained in Shackelford School Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Shackelford School Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 204.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, July 10, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southeast corner of the annexation at the northwest corner of School Avenue and Bowie Avenue.

(2) The southwest corner of the annexation at the northeast corner of School Avenue and Crows Landing Road.

(3) The northwest corner of the annexation at the east line of Crows Landing Road.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 204, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

SHACKELFORD SCHOOL ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 4, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the CROWS LANDING INDUSTRIAL TRACT ADDITION (45), as per description filed August 5, 1952, as Instrument 18281, Stanislaus County Records, said point being on the center line of 60.00 foot Crows Landing Road, also being the West line of Section 4.

1. thence leaving the existing City Limits along the Southern line of a 10' alley, South 89° 51' 00" East, 658.85 feet, to the center line of 50.00 foot Bowie Avenue;

2. thence along said center line of Bowie Avenue, South 00° 02' 00" East, 497.00 feet, to the center line of 60.00 foot School Avenue;

3. thence along said center line of School Avenue, North 89° 51' 30" West, 658.49 feet, to the center line of 60.00 foot Crows Landing Road;

4. thence along the center line of Crows Landing Road, North 00° 04' 30" West, 497.10 feet, to the point of beginning, containing 7.516 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on May 22, 19 79, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: May 22, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-515

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (RENO AVENUE ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-372 on April 17, 19 79, certain territory known as Reno Avenue Annexation, and

WHEREAS, the inclusion of the area contained in Reno Avenue Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Reno Avenue Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 205.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, July 10, 1979, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the annexation at the west line of Reno Avenue.

(2) 125' south of the northeast corner of the annexation at the west line of Reno Avenue.

(3) The southeast corner of the annexation at the west line of Reno Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 205, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

RENO AVENUE ANNEXATION

ALL that portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of said Section 30; thence South 0°51'15" East, along the West line of said Section 30, a distance of 1319.97 feet; thence South 89°49'10" East, along the North line of Parcel "1" and Parcel "3" as shown on the map filed in Book 4 of Parcel Maps at Page 84, Stanislaus County Records, 869.11 feet to the center line of Reno Avenue and the POINT OF BEGINNING of this description; thence South 0°53'15" East along said center line 250.00 feet; thence North 89°49'10" West, along the South line of said Parcel "3" and its Easterly extension 423.54 feet to the Southwest corner thereof; thence North 0°53'15" West along the West line of said Parcel "3", a distance of 250.00 feet to the Northwest corner thereof being on the existing City Limits Line; thence South 89°49'10" East, along the North line of said Parcel "3" and its Easterly extension 423.54 feet to the point of beginning.

Contains 2.43 acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on May 22, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: May 22, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-516

A RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX CERTAIN TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS THE BLUE GUM-ROSEMORE ANNEXATION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter set forth, hereby proposes proceedings to annex to the City of Modesto all of the territory hereinafter described, in accordance and in compliance with the provisions of the Municipal Organization Act, Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

SECTION 2. That the Council's reasons for proposing said annexation proceedings are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide proper land use in conformity with the General Plan and the zoning regulations of the City of Modesto.

SECTION 3. That the territory which the Council proposes to annex is hereby identified as the Blue Gum-Rosemore Annexation to the City of Modesto as shown on the map attached hereto as Exhibit "A", and said territory consists of all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

BLUE GUM-ROSEMORE ANNEXATION

All that real property in the state of California, County of Stanislaus being a portion of the Southeast quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southern line of the MODESTO STATE HOSPITAL ADDITION (283), as per description filed April 20, 1972, as Instrument 15750, Stanislaus County Records, said point being the interior quarter corner of Section 24;

1. thence continuing along the existing City Limits and the Southern line of siad ADDITION (283), North 88° 30' 28" East 663.48 feet, to the Northwestern corner of the CARPENTER ADDITION (235), as per description filed July 7, 1969, as Instrument 23266, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Western line of said ADDITION (235), South 01° 06' 02" East, 1326.66 feet, to a point on a Western line of the ROSEMORE-WOODLAND ADDITION (347), as per description filed October 14, 1976, as Instrument 19721, Stanislaus County Records;

3. thence continuing along the existing City Limits and a Western line of said ADDITION (347), South 01° 06' 02" East, 131.26 feet;

4. thence continuing along the existing City Limits and a Northern line of said ADDITION (347), South 88° 33' 11" West, 663.83 feet, to the center line of Rosemore Avenue and the quarter section line of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian;

5. thence continuing along the existing City Limits and an Eastern line of said ADDITION (347), North 01° 05' 12" West, 1457.39 feet, to the point of beginning, containing 22.208 Acres, more or less.

SECTION 4. That the Council hereby makes application for and requests that proceedings be taken for annexation of the hereinabove described territory to the City of Modesto.

SECTION 5. That the attached "PLAN FOR PROVIDING SERVICES - BLUE GUM-ROSEMORE ANNEXATION" marked Exhibit "B" is hereby submitted as the plan of the City of Modesto for providing services within the above described territory.

SECTION 6. That the City Clerk of the City of Modesto is hereby authorized and directed to submit to the Local Agency Formation Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, this Resolution of Application to annex to the City of Modesto the aforesaid territory in accordance with the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

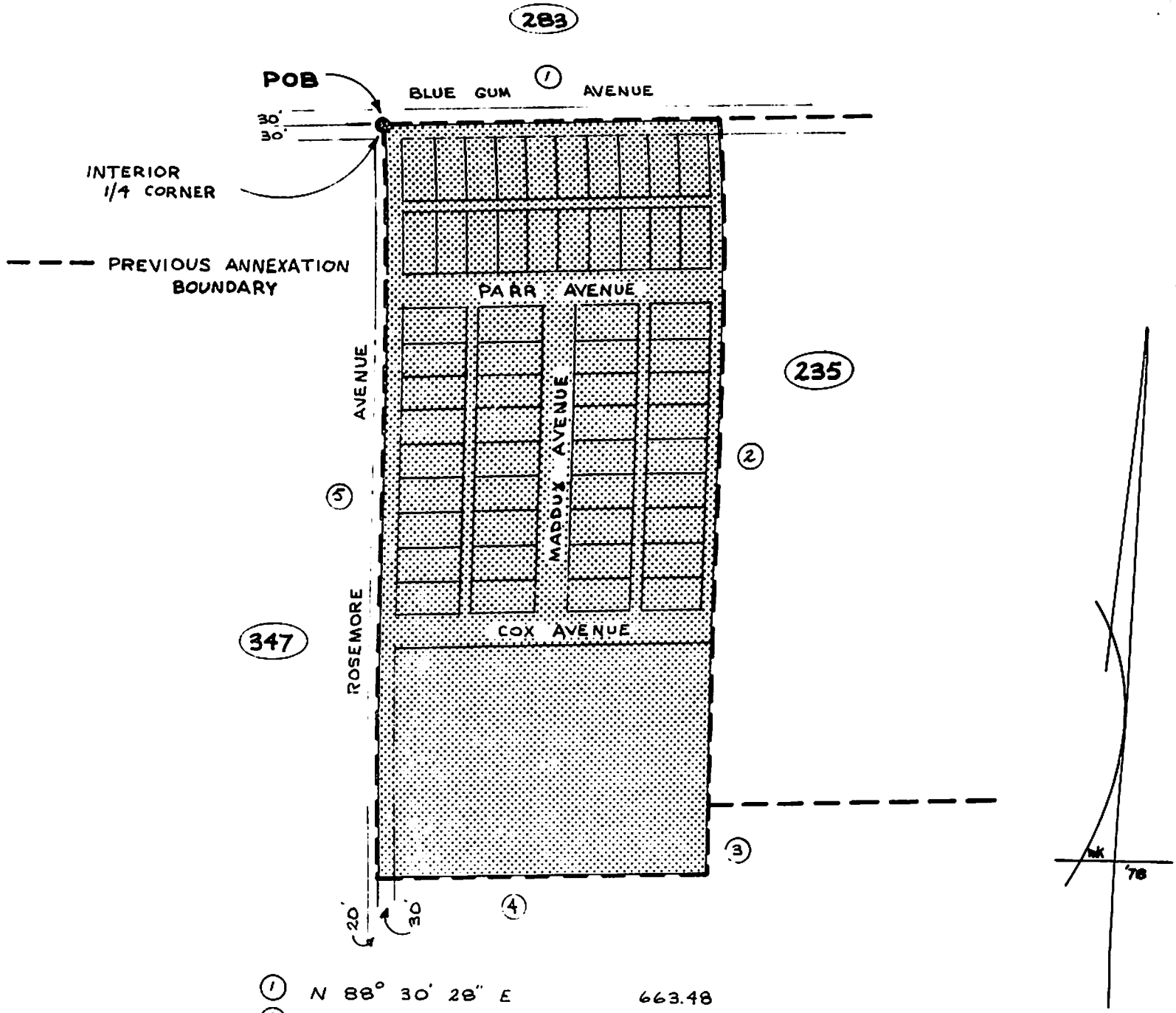
(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department



1	N 88° 30' 28" E	663.48
2	S 01° 06' 02" E	1326.66
3	S 01° 06' 02" E	131.26
4	S 88° 33' 11" W	663.83
5	N 01° 05' 12" W	1457.39

235	CARPENTER	FILED 7-7-69	INST. 23266
283	MODESTO STATE HOSPITAL	FILED 4-20-72	INST. 15750
347	ROSEMORE-WOODLAND	FILED 10-14-76	INST. 19721

BASIS OF BEARING: The Bearing Of N 88°30'28"E For The Center Line Of Blue Gum Avenue, As Per Map Filed 12-27-76 In Volume 24 Of Parcel Maps, Page 23, Stanislaus County Records.

BLUE GUM-ROSEMORE ANNEXATION

22.208 ACRES

Exhibit "A"

M. KOSTIZ
10-26-78

5-A-388

PLAN FOR PROVIDING SERVICES - BLUE GUM-ROSEMORE ANNEXATION

Upon completion of annexation to the City of Modesto, the following services will be available or extended to properties in the annexation area in the manner indicated:

1. FIRE PROTECTION: Upon annexation the property will be withdrawn from the Woodland-Fire Protection District and fire protection will be provided by the Modesto Fire Department. Primary fire response would come from Fire Station No. 4 at Carpenter Road and Blue Gum Avenue. This service would be extended upon the effective date of annexation.

2. POLICE PROTECTION: Modesto City Police would assume responsibility for police protection upon the effective date of annexation.

3. GARDEN REFUSE PICKUP: Weekley garden refuse pickup would be extended to the area upon the effective date of annexation. There is no separate charge for this service.

4. SANITARY SEWER SERVICE: Currently none of the 58 parcels in the annexation area are connected to the City sewer system. The existing homes would be required to connect to the sewer system within two years from the time the sewer becomes available. The City of Modesto anticipates that an improvement district will be formed and that the sewer will become available within two years after the annexation is effective. The costs of connecting to the sewer may be financed as follows:

   a. Actual construction of sewer laterals will be financed by the formation of an improvement district. Financing through improvement district bonds could be for 15 years.

   b. Bond redemption fees and subtrunk charges for all lots can be financed by the City of Modesto for a period of two years at 7 percent simple interest. (Payable bimonthly with sewer bill.)

   c. Remaining costs - The cost of actual connection of home to sewer is to be paid by property owner.

The cost of connecting to the City sanitary sewer system will vary. For the homes located north of Cox Avenue the cost will be approximately $2,800 per home.

5. WATER: Water service to the area is currently provided by the Del Este Water Company. This service would continue upon annexation.

6 GARBAGE COLLECTION: Garbage is presently collected from the annexation area by the Modesto Garbage Company. This company would continue the collection after annexation but at a slightly lower rate under the City franchise. The exact reduction would depend upon the level of service desired. (One-can pickup or two-can pickup.)

EXHIBIT "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-517

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CALIFORNIA NO. 1 ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the California No. 1 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated April 25, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the California No. 1 Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19___, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

CALIFORNIA NO. 1 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the West quarter corner of Section 31 and proceeding along the quarter section line North 89° 55' 00" East, 945.00 feet; thence North 00° 51' 00" West, 15.00 feet, to a point on the North line of 45.00 foot California Avenue, and the true point of beginning of this description, said point being on the existing City Limits as established by a Southern line of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence continuing along the existing City Limits, and a Southern line of said ADDITION (70), North 89° 55' 00" East, 532.17 feet, to a Northwest corner of the CALIFORNIA - PANAMA ADDITION (364), as per description filed December 30, 1977, as Instrument 42193, Stanislaus County Records;

2. thence continuing along the existing City Limits, a Western line of said ADDITION (364), and the Eastern line of Parcel A and B, as per map filed July 7, 1972, in Book 14 of Parcel Maps at Page 64, South 00° 44' 56" East, 798.40 feet;

3. thence leaving the existing City Limits, and proceeding along the Southern line of said Parcel B, South 89° 55' 00" West, 530.76 feet;

4. thence along the Western line of said Parcel B, North 00° 51' 00" West, 798.42 feet, to the point of beginning, containing 9.740 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-518

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS COFFEE-RUMBLE ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Coffee-Rumble Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated April 25, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Coffee-Rumble Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79 by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

COFFEE-RUMBLE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast one quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeast corner of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records, said point being on the North line of Rumble Road;

1. thence continuing along the existing City Limits along a North line of said ADDITION (157), North 89° 37' 00" West, 278.00 feet;

2. thence along an Eastern line of said ADDITION (157), North 00° 50' 30" West, 79.00 feet;

3. thence leaving the existing City Limits, South 89° 37' 00" East, 298.00, to the East line of Section 9 and a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records;

4. thence along a Western line of said ADDITION (252), South 00° 50' 30" East, 79.00 feet;

5. thence North 89° 37' 00" West, 20.00 feet, to the point of beginning, containing 0.540 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-519

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS LINCOLN-PENNY NO. 2 ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Lincoln-Penny No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated April 25, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Lincoln-Penny No. 2 Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

LINCOLN-PENNY NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern line of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records;

1. thence North 63° 33' 00" East, 143.43 feet;

2. thence continuing along the existing City Limits along said ADDITION (359), North 31° 21' 30" East, 97.38 feet to a Northwest corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 3, 1976, as Instrument 35053, Stanislaus County Records;

3. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), North 89° 57' 07" East, 332.84 feet;

4. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 22° 10' 00" West, 73.79 feet;

5. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 26° 31' 00" West, 176.78 feet;

6. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 35° 58' 00" West, 55.13 feet;

7. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 68° 13' 00" East, 176.46 feet;

8. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 00° 33' 30" East, 170.00 feet, to the center line of Lincoln Avenue;

9. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), and the center line of Lincoln Avenue, North 89° 57' 30" East, 646.57 feet, to a Western line of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Records, said point being on the East line of Section 26;

10. thence continuing along the existing City Limits, the center line of Lincoln Avenue, a Western line of said ADDITION (293), and the East line of Section 26, South 00° 33' 30" East, 588.10 feet;

11. thence continuing along the existing City Limits and a Northern line of said ADDITION (293), South 65° 09' 31" West, 14.68 feet, to the West line of Lincoln Avenue;

12. thence continuing along the existing City Limits and a Western line of said ADDITION (293), and the West line of Lincoln Avenue, South 09° 13' 26" East, 88.78 feet, to the East line of Section 26;

13. thence continuing along the existing City Limits, a Western line of said ADDITION (293), the West line of Lincoln Avenue and the East line of Section 26, South 00° 33' 30" East, 1379.55 feet to the East quarter corner of Section 26 and the Northeast corner of the LINCOLN NO. 1 ADDITION (282), as per description filed March 24, 1972, as Instrument 11421, Stanislaus County Records;

14. thence continuing along the existing City Limits, the Northern line of said ADDITION (282), and the quarter section line, North 89° 57' 33" West, 985.32 feet, to a point on the Eastern line of the RIVERSIDE NO. 2 ADDITION (234), as per description filed June 12, 1969, as Instrument 20321, Stanislaus County Records;

15. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), North 00° 32' 50" West, 549.01 feet, to a point on a curve concave to the Southwest, having a radius of 500.00 feet, and a central angle of 20° 27' 21";

16. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), Northwesterly on the Arc of the curve a distance of 178.51 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2;

17. thence continuing along the existing City Limits and the Northern line of said ADDITION (234), and the Southern line of said Lateral, South 68° 59' 49" West, 316.90 feet, to the quarter quarter section line of Section 26;

18. thence leaving the existing City Limits and continuing along said quarter quarter Section line, North 00° 32' 58" West, 1646.61 feet;

19. thence along the existing City Limits along said ADDITION (359), and the center line of Dry Creek, North 38° 39' 00" East, 208.85 feet, to the point of beginning, containing 63.154 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-520

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS ORANGEBURG-CLAUS NO. 3 ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Orangeburg-Claus No. 3 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated April 25, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Orangeburg-Claus No. 3 Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

March 6, 1979
May 18, 1979

LEGAL DESCRIPTION

ORANGEBURG - CLAUS NO. 3 ANNEXATION

All that portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19, being on the present center line of 50.00 foot wide Claus Road, thence NORTH along the West line of said Section 19, and said center line, 503.91 feet to the POINT OF BEGINNING of this description; thence continue NORTH, 818.40 feet; thence leaving said center line South 89° 20' 12" East, along the Westerly extension of the South line and the South line of that certain 18.644 acre parcel shown on the map filed in Book 14 of Record of Surveys at Page 50, Stanislaus County Records, 1257.70 feet to the West line of Modesto Irrigation District right-of-way line; thence South 0° 08' 20" West along said West right-of-way line, 815.67 feet to the North line of Parcel "A" as shown on the map filed in Volume 18 of Parcel Maps at Page 68, Stanislaus County Records; thence North 89° 27' 37" West along said North line 1255.69 feet to the point of beginning.

Containing: 23.57 acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-521

A RESOLUTION APPOINTING MEMBER OF THE REHABILITATION LOAN POOL SUB-COMMITTEE TO CHAIR 5 FROM CHAIR 6 (BESSIE BRESCIANI)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to Chair 5 of the Rehabilitation Loan Pool Subcommittee, from Chair/6 for the respective term as indicated:

Bessie Bresciani
P.O. Box 2528
Modesto, California
Term to expire on June 30, 1981

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of Chair 5 from Chair 6 of the Rehabilitation Loan Pool / Subcommittee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-522

A RESOLUTION APPOINTING MEMBER OF THE REHABILITATION LOAN POOL SUBCOMMITTEE, CHAIR 6 (ELWOOD WALSTROM)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Rehabilitation Loan Pool Subcommittee, Chair 6 for the respective term as indicated:

Elwood Walstrom
404 King Richard Lane
Modesto, Ca. 95350
Term to expire on June 30, 1983

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Rehabilitation Loan Pool Subcommittee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 22nd day of May, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-523

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY GUARANTEE SAVINGS AND LOAN TO PLANNING COMMISSION DECISION REGARDING REZONING FROM R-2 TO P-O

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 3, 1979, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of an appeal by Guarantee Savings and Loan to Planning Commission decision regarding rezoning from R-2 to P-O property located at Oakdale Road and East Orangeburg.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-524

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF CHARLES E. JOLITZ AS A MEMBER OF THE PLANNING COMMISSION AND BOARD OF ZONING ADJUSTMENT

WHEREAS, Charles E. Jolitz was appointed as a member of the Planning Commission on July 21, 1975, and as a member of the Board of Zoning Adjustment on February 7, 1977; and

WHEREAS, Charles E. Jolitz has tendered his resignation as a member of the Planning Commission and Board of Zoning Adjustment, effective May 7, 1979; and

WHEREAS, Charles E. Jolitz has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Charles E. Jolitz as a member of the Planning Commission and Board of Zoning Adjustment is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Charles E. Jolitz for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-525

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, RUBEN HAMPTON, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, Ruben Hampton, against the City of Modesto was received on May 9, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Ruben Hampton, against the City of Modesto, received on May 9, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-526

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STORM DRAINAGE FACILITY, TULLY - BRIGGSMORE - WINNING AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for storm drainage facility, Tully - Briggsmore - Winning area **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 26, 1979, at 2:05 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-527

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING THREE COMMUNITY SERVICES COMPACT CARS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing three community services compact cars required by the Police Department **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 26, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-528

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF SUBTRUNK SEWER IN CALIFORNIA AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of subtrunk sewer in California Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 26, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-529

A RESOLUTION ACCEPTING THE BID OF L.E. McGRAW CONSTRUCTION FOR THE CONSTRUCTION OF FIRE STATION NO. 8 AT MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD - FAA-ADAP #6-06-0153-06

WHEREAS, Resolution No. 79-284 **, adopted by the Council of the City of Modesto on** April 3, 1979 **, approved the plans and specifications for the** construction of Fire Station No. 8 at Modesto City-County Airport - FAA-ADAP #6-06-0153-06 **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of Fire Station No. 8 at the Modesto City-County Airport **were opened at** 2:45 p.m. on May 22, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** L.E. McGraw Construction Company in the amount of $416,650 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of L.E. McGraw Construction Company in the amount of $416,650 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-530

A RESOLUTION ACCEPTING THE BID OF POOL PATIO 'N THINGS FOR LIQUID SWIMMING POOL CHLORINE

WHEREAS, Resolution No. 79-429, adopted by the Council of the City of Modesto on May 8, 1979, approved the plans and specifications for the furnishing of liquid swimming pool chlorine for fiscal year 1979/80 and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of liquid swimming pool chlorine were opened at 2:00 p.m. on May 22, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Pool Patio 'N Things for liquid swimming pool chlorine at $.75 gal. be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Pool Patio 'N Things for liquid swimming pool chlorine at $.75 gal. be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-531

A RESOLUTION ACCEPTING THE BID OF CRYSTAL POOL SERVICE FOR SWIMMING POOL CHLORINE TABLETS AND MURATIC ACID

WHEREAS, Resolution No. 79-429 **, adopted by the Council of the City of Modesto on** May 8, 1979 **, approved the plans and specifications for the** furnishing of muratic acid for fiscal year 1979/80

and authorized the calling for bids, and

WHEREAS, the bids received for the furnishing of muratic acid for swimming pools

were opened at 2:00 p.m. on May 22, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Crystal Pool Service for chlorine tablets at $.87 each and muratic acid at $.94 gal.

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Crystal Pool Service for chlorine tablets at $.87 each and muratic acid at $.94 gal.

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-532

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE CONSTRUCTION OF AN AIRCRAFT PARKING RAMP DRAIN

WHEREAS, Resolution No. 79-401 , adopted by the Council of the City of Modesto on May 1, 1979 , approved the plans and specifications for the construction of an aircraft parking ramp drain

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of an aircraft parking ramp drain

were opened at 11:15 a.m. on May 22, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $31,236

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $31,236

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-533

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN CARPENTER ROAD

WHEREAS, Resolution No. 79-403 **, adopted by the Council of the City of Modesto on** May 1, 1979 **, approved the plans and specifications for the** construction of waterline extension in Carpenter Road

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of waterline extension in Carpenter Road

were opened at 11:00 a.m. on May 22, 1979 **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Mac's Backhoe Service in the amount of $54,816

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $54,816

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-534

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF A WATERLINE EXTENSION AT DALE AND SNYDER AVENUES

WHEREAS, Resolution No. 79-399 **, adopted by the Council of the City of Modesto on** May 1, 1979 **, approved the plans and specifications for the** construction of a waterline extension at Dale and Snyder Avenues **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of a waterline extension at Dale and Snyder Avenues **were opened at** 11:05 a.m. on May 22, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Mac's Backhoe Service in the amount of $33,077

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $33,077

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-535

A RESOLUTION ACCEPTING THE CONSTRUCTION OF HYDROMULCHING AND IRRIGATION SYSTEM AT TUOLUMNE RIVER REGIONAL PARK AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the construction of** hydromulching and irrigation system at Tuolumne River Regional Park **has been ccmpleted by** Fries Landscape Company

in accordance with the contract agreement dated March 20, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of hydromulching and irrigation system at Tuolumne River Regional Park **be accepted from said contractor,** Fries Landscape Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $9,474.99 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-536

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CLAUS ROAD STORM DRAIN AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Claus Road storm drain has been completed by Credence Construction Company in accordance with the contract agreement dated March 20, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Claus Road storm drain be accepted from said contractor, Credence Construction Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $138,169 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-537

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN W. UNION AVENUE FOR BLOOMFIELD NO. 3 AND PRESCOTT ROAD AND UNION AVENUE FOR HOLLYWOOD PARK NO. 2 AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction of waterline extension in W. Union Ave. for Bloomfield No. 3 and Prescott Rd. and Union Ave. for Hollywood Park No. 2 has been ccmpleted by Stanislaus Paving

in accordance with the contract agreement dated October 16, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in W. Union Ave. for Bloomfield No. 3 and Prescott Rd. and Union Ave. for Hollywood Park No. 2 be accepted from said contractor, Stanislaus Paving;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $15,960.88 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-538

A RESOLUTION AUTHORIZING PURCHASE OF RECLAMITE MATERIAL AND SPREADING SERVICES

WHEREAS, informal bids were received for reclamite material and spreading services; and

WHEREAS, three informal bids were received for reclamite, which is an oil product which is spread on street surfaces for preventative maintenance.

NOW, THEREFORE BE IT RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Sheldon Oil Company for furnishing reclamite material and spreading services for the total price of $4,368.90.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-539

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH FIELDINGS COMPANY FOR SIX FISCHER-PORTER TRAFFIC COUNTERS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the purchase of six Fischer-Porter traffic counters is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Fieldings Company for the purchase of six Fischer-Porter traffic counters for the total purchase price of $7,568.40.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-540

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH MONROVIA NURSERY FOR THE PURCHASE OF TREES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of trees, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Monrovia Nursery for the purchase of trees for a total price of $11,045.20.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-541

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH SARATOGA HORTICULTURE FOUNDATION FOR THE PURCHASE OF TREES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of trees, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Saratoga Horticulture Foundation for the purchase of trees for a total price of $4,577.50.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-542

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH L.E. COOKE FOR THE PURCHASE OF TREES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of trees, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with L.E. Cooke for the purchase of trees for a total price of $2,098.80.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-543

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (KANSAS AVENUE NO. 2)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on April 10, 19 79, duly adopted Resolution No. 79-333 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, June 5, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 201, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on June 5, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Kullijian, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: June 5, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

KANSAS AVENUE NO. 2 ANNEXATION

April 4, 1979

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the KANSAS AVENUE ADDITION (378), as per description filed July 24, 1978, as Instrument 4617, Stanislaus County Records, said corner being the intersection of the center lines of Kansas Avenue and Emerald Avenue, which lies 20 feet Westerly from the interior quarter corner of Section 30;

1. thence continuing along the existing City Limits and the center line of 60.00 foot Emerald Avenue, South 00° 30' 00" East, 268.87 feet;

2. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 88° 28' 38" West, 684.03 feet;

3. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 89° 47' 54" West, 801.21 feet;

4. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 86° 20' 47" West, 495.02 feet;

5. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 81° 06' 57" West, 543.24 feet;

6. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, North 47° 50' 35" West, 125.90 feet;

7. thence continuing along the existing City Limits and the Northern right of way line of future State Highway 132, South 89° 11' 07" West, 45.00 feet to the center line 90.00 foot Carpenter Road;

8. thence leaving the existing City Limits along the center line of said road; North 00° 48' 53" West, 96.10 feet, to the center line of 40.00 foot Kansas Avenue;

9. thence continuing along the center line of said avenue, South 89° 45' 30" East, 855.37 feet, to the intersection of 40.00 foot Reno Avenue;

10. thence along the center line of 40.00 foot Reno Avenue, North 04° 26' 00" West, 66.53 feet;

11. thence continuing along the center line of said avenue, North 09° 14' 00" East, 66.00 feet;

12. thence continuing along the center line of said avenue, North 25° 41' 00" East, 214.50 feet;

13. thence continuing along the center line of said avenue, North 07° 17' 00" East, 66.00 feet;

14. thence continuing along the center line of said avenue, North 13° 20' 40" West, 82.50 feet;

15. thence continuing along the center line of said avenue, North 34° 10' 40" West, 99.00 feet;

16. thence continuing along the center line of said avenue, North 54° 27' 20" West, 249.55 feet;

17. thence continuing along the center line of said avenue, North 00° 53' 15" West, 610.77 feet;

18. thence South 89° 26' 27" East, 1325.51 feet, to the center line of 40.00 foot Lone Palm Avenue;

19. thence continuing along the center line of 40.00 foot Lone Palm Avenue, South 00° 34' 00" East, 1300.19 feet, to the center line of 40.00 Kansas Avenue;

20. thence along the center line of said avenue, South 89° 45' 30" East, 639.80 feet, to the point of beginning, containing 52.474 Acres, more or less.

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-544

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (ORCHARD NEIGHBORHOOD)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on April 10, 19 79, duly adopted Resolution No. 79-334 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, June 5, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 202, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of [illegible], 19[illegible], by Councilmember [illegible],

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on June 5, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: June 5, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

May 9, 1978

ORCHARD NEIGHBORHOOD ADDITION

All that property in the State of California, County of Stanislaus, being a portion of the South 1/2 of the North 1/2 of Section 14, and all of the South 1/2 of Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the ROSE ACRES NO. 4 ADDITION (230), as per description filed May 2, 1969, as Instrument 15074, Stanislaus County Records, said point bearing North 00° 21' 00" West, 345.64 feet, from the Southwest corner of Section 14;

1. thence continuing along the existing City Limits along the West line of Section 14 and the Eastern line of said ADDITION (230), North 00° 21' 00" West, 976.16 feet, to a Southeastern corner of ROSE ACRES ADDITION (181), as per description filed Septemeber 27, 1965, as Instrument 37370, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (181), North 00° 21' 00" West, 676.00 feet, to the Southeast corner of CELESTE NO. 3 ADDITION (268), as per description filed February 12, 1971, as Instrument 5278, Stanislaus County Records;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (268), North 00° 21' 00" West, 645.80 feet, to the West 1/4 corner of Section 14;

4. thence leaving the existing City Limits, and continuing along the center line of Oakdale Road, North 00° 21' 00" West, 660.96 feet, to the Southeast corner of OAKDALE-FLOYD NO. 2 ADDITION (379), as per description filed August 3 , 1978, as Instrument 7281, Stanislaus County Records;

5. thence along the existing City Limits and the Eastern line of said ADDITION (379), North 00° 21' 00" West, 660.96 feet, to the Northeast 1/4 1/4 corner of Section 14 and the center line of 40.00 foot Floyd Avenue;

6. thence leaving the existing City Limits along the center line of said avenue and the 1/4 1/4 Section line, South 89° 33' 41" East, 5249.79 feet, to the Northwest 1/4 1/4 corner of Section 14;

7. thence South 00° 25' 10" East, 2645.95 feet, to the center line of 40.00 foot Merle Avenue;

8. thence South 00° 25' 10" East, 205.00 feet;

9. thence North 89° 34' 50" East, 5.67 feet;

10. thence South 00° 25' 10" East, 1037.08 feet;

11. thence South 89° 34' 50" West, 5.67 feet;

12. thence South 00° 25' 10" East, 82.17 feet, to the Southeast corner of Section 14;

13. thence North 00° 12' 14" West, 12.17 feet, to the center line of the 140.00 foot Modesto Irrigation District Lateral No. 3;

14. thence continuing along the center line of M. I. D. Lateral No. 3, North 89° 43' 14" West, 1651.06 feet;

15. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 44" West, 986.29 feet;

16. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 25' 48" West, 2064.18 feet;

17. thence continuing along the center line of M. I. D. Lateral No. 3, North 82° 17' 18" West, 263.85 feet;

18. thence continuing along the center line of M. I. D. Lateral No. 3, along a tangent curve which is concave to the Southwest, having a Central Angle of 35° 18' 12", a Radius of 473.10 feet, and an Arc Length of 295.51 feet;

19. thence continuing along the center line of M. I. D. Lateral No. 3, South 62° 24' 30" West, 42.71 feet to the center line of 100.00 foot Oakdale Road and the point of beginning, containing 459.199 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-545

A RESOLUTION DENYING THE APPEAL FILED BY MID VALLEY ENGINEERING ON BEHALF OF BOB PICCININI FOR AN AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP TO PREZONE TO PLANNED DEVELOPMENT ZONE, P-D, FOR A NEIGHBORHOOD SHOPPING CENTER, PROPERTY LOCATED AT THE SOUTHWEST CORNER OF STANDIFORD AVENUE AND CARVER ROAD.

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Bob Piccinini on November 21, 1978, to prezone to Planned Development Zone, P-D, to allow a neighborhood shopping center, property located at the southwest corner of Standiford Avenue and Carver Road described as follows:

ALL that certain real property situate in a portion of the Northeast quarter of the Southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, lying within the County of Stanislaus, State of California, described as follows:

Being the North half of the North 992.64 feet of the East 892.32 feet of Lot 1 of the Knapp Tract according to the map thereof recorded November 16, 1904, in Volume 2 of Maps at Page 2, Stanislaus County records, and being more particularly described as follows:

BEGINNING at the Northeast corner of said Lot 1, said corner also being the center line intersection of Standiford Avenue and Carver Road; thence North 89°00'30" West along the North line of said Lot 1 and along the center line of Standiford Avenue, a distance of 892.32 feet; thence South 0°41'00" East, a distance of 496.32 feet; thence South 89°00'30" East, a distance of 892.32 feet to the intersection with the East line of said Lot 1 and the center line of Carver Road; thence North 0°41'00" West along said East line of Lot 1 and the center line of Carver Road, a distance of 496.32 feet to the point of beginning.

Containing 10.16 acres more or less,

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of February 20, 1979, at which time it was continued to February 26, 1979, and on February 26, 1979, said application was further continued to March 5, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said continued hearing on March 5, 1979, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-56, denied the requested amendment to Section 7-3-9 of the Zoning Map to prezone to Planned Development Zone, P-D, the property described above located at the southwest corner of Standiford Avenue and Carver Road to allow a neighborhood shopping center for the following reasons:

1. The proposed shopping center location conflicts with the clearly established locational criteria of the General Plan.

2. A fully developed neighborhood shopping center exists one-half mile to the east of the subject property and an approved site exists less than one-half mile to the west which two existing sites conform with the General Plan.

3. Approval of the proposed shopping center location would badly upset the land use relationships built into the General Plan and could start a precedent in inviting others to violate the City's land use policies,

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated March 9, 1979, from Mid Valley Engineering, on behalf of Bob Piccinini, to the decision of the Planning Commission denying his application to prezone to Planned Development Zone, P-D, the property hereinabove described, located at the southwest corner of Standiford Avenue and Carver Road, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California at 4:00 o'clock P. M. on Tuesday, April 17, 1979, at

which time it was continued to May 22, 1979, and on May 22, 1979, said hearing was further continued to June 5, 1979, and

WHEREAS, at said continued hearing on June 5, 1979, said Council after hearing evidence both oral and documentary, found and determined that the appeal filed by Mid Valley Engineering on behalf of Bob Piccinini to the decision of the Planning Commission denying prezoning to Planned Development Zone, P-D, of the property located at the southwest corner of Standiford Avenue and Carver Road, which is described above, should be denied for the reasons set forth in Planning Commission Resolution No. 79-56, and quoted above, and that the decision of the Planning Commission denying the requested prezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the Final Environmental Impact Report in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Mid Valley Engineering, on behalf of Bob Piccinini, to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-56, denying prezoning to Planned Development Zone, P-D, of the above described property, located at the southwest corner of Standiford Avenue and Carver Road, be denied, for the reasons set forth in Planning Commission Resolution No. 79-56, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: Muratore

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO DESCRIPTION

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

By William Smith
Director of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-546

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 2-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JWJ DEVELOPMENT)

WHEREAS, on June 5, 19 79, the City Council introduced Ordinance No. 1335-C.S. giving approval to a project relating to an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79 by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-547

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (223).

WHEREAS, a verified application for an amendment to Sections 25-3-9 and 26-3-9 of the Zoning Map was filed by Rule Enterprises on March 19, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the Southeast Quarter of Section 26 and the Southwest Quarter of Section 25, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Beginning at the southwest corner of said Section 25; thence North 89°34'25" East, along the south line of said Section 25, a distance of 20.00 feet to the centerline intersection of Yosemite Boulevard and Lincoln Avenue; thence North 0°32'27" West along said centerline of Lincoln Avenue a distance of 543.58 feet; thence North 89°56'32" West 1005.16 feet to a point on the east line of the West Half of the West Half of the East Half of the Southeast Quarter of said Section 26; thence South 0°32'57" East along said east line a distance of 542.80 feet to said centerline of Yosemite Boulevard; thence South 89°53'12" East along said centerline a distance of 985.10 feet to the point of beginning.

Containing 12.53 Acres

WHEREAS, after public hearing held on April 16, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone provides density in conformance with the neighborhood prototype of the General Plan.
2. The proposed residential development provides multiple-family housing in an area of Modesto in which little housing of this type presently exists.
3. The proposed residential development provides multiple-family housing in an area adjacent to a high concentration of employment.

WHEREAS, after a public hearing held on June 5, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rule Enterprises for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1836-C.S. on the 5th day of June, 19 79, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D(223).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (223), is hereby approved in accordance with the plan titled "Yosemite Gardens", as amended in red on its face, stamped approved by the Planning Commission on April 16, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above referred to plan, as amended in red on its face, stamped approved by the Planning Commission on April 16, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the west and north property lines.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontages with the number of trees to be determined by the Director of Public Works.

5. That the applicant shall record with the County Recorder of Stanislaus County a notice in the form approved by the City of Modesto that this resolution of approval has been issued and that it contains conditions affecting the use of the above-described property.

6. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

8. All utilities shall be underground including TV reception facilities. No antennas shall be permitted.

9. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the north and west property lines.

10. That all signs shall comply with the sign requirements of the R-3 Zone.

11. That prior to the issuance of a building permit for any structure the tentative parcel map creating this parcel shall be recorded in accordance with Chapter 4 of Title 4 of the Modesto Municipal Code.

12. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

13. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

14. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

15. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

16. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Lincoln Avenue to a major street standard in accordance with the requirements of the Director of Public Works.

17. That all street improvements required as part of the parcel map creating the property shall be constructed prior to occupancy of the premises.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (223):

Phase I to begin by January 2, 1982, and be completed by November 30, 1982.

Phase II to begin by July 1, 1982, and be completed by January 2, 1983.

Phase III to begin by July 1, 1983, and be completed by January 2, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (223) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brinkley
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-548

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAPS 25-3-9 AND 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)

WHEREAS, on June 5, 1979, the City Council introduced Ordinance No. 1838-C.S. giving approval to a project relating to an amendment to Section Maps 25-3-9 and 26-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (223), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Maps 25-3-9 and 26-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (223).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Pringle, Kullijian, Lane, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-549

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DONALD R. GONSALVES)

WHEREAS, on June 5, 19 79, the City Council introduced Ordinance No. 1837 -C.S. giving approval to a project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 14-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19___, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-550

A RESOLUTION APPROVING A PARADE PERMIT FOR THE CENTRAL CALIFORNIA COALITION OF CAR CLUBS FOR "GRAFFITI '79" SATURDAY NIGHT, JUNE 16, 1979, BETWEEN THE HOURS OF 8:00 PM AND 12 MIDNIGHT, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Central California Coalition of Car Clubs (hereinafter referred to as Clubs) has filed a request with the City Council for permission to have a parade on certain city streets for Graffiti '79 on Saturday night, June 16, 1979, between the hours of 8:00 pm and 12:00 midnight, and

WHEREAS, the Council deems it appropriate to grant approval to Clubs relating to its Graffiti '79 parade, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve a parade permit for Clubs' Graffiti '79 parade, subject to the following conditions:

1. Clubs may use the streets referred to in Paragraph 2 below, as the parade route for Graffiti '79 between the hours of 8:00 pm and 12:00 midnight on Saturday, June 16, 1979, subject to approval of the Chief of Police.

2. The following parade route is approved: 11th Street from G Street in a northerly direction to N Street, then in a westerly direction on N Street to Tenth Street, then in a southerly direction on Tenth Street to G Street, then in an easterly direction on G Street to 11th Street. The streets referred to herein approved for the parade route shall be one way in the directions specified for the parade. The only entrance by participants in the parade will be at the intersection of 11th and J Streets, however, exits may be made available at locations as approved by the Chief of Police.

3. The City of Modesto will install the necessary barricades to eliminate cross-traffic on the parade route, and at the close of Graffiti '79, the city will remove said barricades.

4. The City will, wherever possible, adjust the traffic signals on the parade route so said signals will flash the orange "caution" signal for the persons participating in the parade.

BE IT FURTHER RESOLVED that the City Clerk shall furnish Clubs with a copy of this resolution. Clubs shall file a written acceptance of this resolution with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-551

A RESOLUTION COMMENDING THE MODESTO POLICE RESERVES FOR CONTRIBUTIONS TO COMMUNITY WELFARE AND SAFETY

WHEREAS, the Modesto Police Reserves contribute numerous hours each year to the City of Modesto assisting the Police Department in protecting the health, safety, and welfare of its citizens; and

WHEREAS, there are approximately Twenty-five (25) officers in the organization, private citizens from all walks of life, who devote many hours of their own time to the Modesto Police Department, apart from their employment or business, without any pay whatsoever; and

WHEREAS, the Modesto Police Reserves work constantly with the Modesto Police Department, performing whatever duties may be requested in the way of enforcing laws, searching for missing persons, apprehending escaped convicts, aiding during times of disaster, and helping with various community activities taking place in the City; and

WHEREAS, during the year 1978 alone, the Police Reserves served a total of Twelve Thousand, Four Hundred Forth-eight (12,448) man-hours of time for the Modesto Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that each and every man serving with the Modesto Police Reserves be commended for his untiring work in the organization which so greatly contributes to the health, safety, and general welfare of our community.

BE IT FURTHER RESOLVED that duly authenticated copies of this resolution be presented to those officers who devoted so many of their personal hours to the Police Reserves during 1978, in recognition of performance of outstanding service to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-552

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOWRY, GUELFO, PIMENTEL AND DECKARD TO PERFORM THE CITY OF MODESTO'S OUTSIDE AUDIT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lowry, Guelfo, Pimentel and Deckard to perform the City of Modesto's outside audit

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-553

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE MODESTO BEE TO PRINT AND PUBLISH THE OFFICIAL ADVERTISING FOR THE CITY FOR A ONE-YEAR PERIOD ENDING JUNE 30, 1980

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The Modesto Bee to print and publish the official advertising for the City for a one-year period ending June 30, 1980

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-554

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CAPITAL CONSTRUCTION COMPANY FOR THE PURCHASE OF 0.06± ACRES OF RIGHT OF WAY NEEDED FOR CLAUS ROAD - YOSEMITE TO BRIGGSMORE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Capital Construction Company for the purchase of 0.06± acres of right of way needed for Claus Road - Yosemite to Briggsmore project, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers :	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-555

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HERTZ CORPORATION FOR A CAR RENTAL ACTIVITY AT CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hertz Corporation

for a car rental activity at City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-556

A RESOLUTION APPROVING THE FINAL MAP OF THE EVERGREEN PARK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, R.D.R. Properties, a general partnership

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.594 acres, known as the Evergreen Park Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of July, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Evergreen Park Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-557

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MABEL M. SHURTZ CONSERVATORSHIP FOR RIGHT OF WAY NEEDED FOR THE ORANGEBURG-COLLIER TO COFFEE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mabel M. Shurtz Conservatorship for right of way needed for the Orangeburg-Collier to Coffee project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-558

A RESOLUTION APPROVING THE APPLICATION AND THE PROJECT AGREEMENT FOR HISTORIC PRESERVATION GRANTS-IN-AID FUNDS FOR THE RESTORATION OF THE MCHENRY MANSION PROJECT

WHEREAS, the Congress under Public Law 89-665 has authorized the establishment of a National Historic Preservation Grants-in-Aid Program, providing matching funds to the State of California and its political subdivisions for historic preservation, survey, planning, development and acquisition projects; and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program; and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto hereby:

1. Approves the filing of an application for the National Historic Preservation Grants-in-Aid assistance in the amount of $100,000 for the restoration of the McHenry Mansion; and

2. Appoints the City Manager, Garth Lipsky, or his authorized deputy as agent of the City of Modesto, to coordinate, process and execute all contracts, agreements, amendments and ancillary documents within the scope of the application.

3. Agrees that all required local matching funds will be provided for the project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the

following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 559

A RESOLUTION DECLARING THE CITY COUNCIL'S INTENTION TO CONSIDER AN INCREASE IN THE RATE CHARGED BY CABLECOM-GENERAL OF MODESTO FOR A PRIMARY COMMERCIAL AND RESIDENTIAL CABLE TELEVISION OUTLETS; REQUIRING CABLECOM-GENERAL OF MODESTO TO MAKE ARRANGEMENTS FOR PAY STATIONS; AND SETTING THE TIME AND PLACE FOR A HEARING THEREON.

WHEREAS, by Ordinance No. 1766-C.S. the City Council has granted to Cablecom-General of Modesto, hereinafter referred to as "Grantee", a nonexclusive franchise to construct, operate and maintain a CATV system within the City, and

WHEREAS, Section 4 of Ordinance No. 1766-C.S., sets forth a schedule of rates and charges for CATV service to be charged by Grantee to its subscribers and also provides that said schedule of rates and charges may be changed with the prior approval of the City Council expressed by resolution, and

WHEREAS, the Council desires to consider an increase in the rate charged by Grantee for a primary commercial and residential cable television outlet, from $5.95 to $6.95 per month, and

WHEREAS, the Council further desires to consider requiring Grantee to make arrangements so that subscribers can pay their monthly service and other CATV charges at those locations where City of Modesto water and sewer service charges are payable,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That the Council hereby declares its intention to consider an increase in the rate charged by Grantee for a primary commercial and residential cable television outlet from $5.95 to $6.95 per month.

2. That the Council hereby declares its intention to consider requiring Grantee to make arrangements so that subscribers can pay their monthly service and other CATV charges at those locations where City of Modesto water and sewer service charges are payable.

3. That Tuesday, June 26, 1979, at 7:30 o'clock p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California is hereby set as the time and place when all persons may appear before the City Council and be heard on said increased rate and requirement.

4. That the City Clerk is hereby directed to publish a notice of said hearing in the Modesto Bee, the official newspaper of the City of Modesto once within ten (10) days after passage of this resolution.

5. That further information regarding said increased rates and requirement may be obtained from the office of the City Clerk, City Hall, 801 11th Street, Modesto, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-560

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 20-3-9 OF THE ZONING MAP (LA CONTE AND SANTRIZOS)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 20-3-9 of the Zoning Map to rezone from R-1 to P-O property located at the southwest corner of W. Orangeburg and Alma Avenues

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-137 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 20-3-9 of the Zoning Map be set for June 26, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Section 20, Township 3 South, Range 9 East, M.D.B. and M., described as follows:

Beginning at the point of intersection of centerline of Orangeburg Avenue with the centerline of Alma Avenue; thence westerly along the centerline of Orangeburg Avenue 310 feet to the point of intersection with the northerly extension of the east line of Lot A in Block 6058 in Mensinger Tract No. 4, according to the map filed in Volume 14 of Maps at page 68 in the Stanislaus County Records, thence Southerly along said extension and the east line of said lot A, 145 feet to the point of intersection with the north line of the east-west 20 foot alley in said Block 6058; thence easterly along said north line of said alley and the easterly extension thereof, 310 feet to the point of intersection with the centerline of Alma Avenue; thence northerly along said centerline 145 feet to the point of beginning on Orangeburg Avenue.

SCHEDULE "A"
La Conte and Santrizos
6/5/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-561

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (RICHARDS, TALLENT AND DUROSETTI)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 22-3-9 of the Zoning Map to rezone from P-O to Planned Development Zone, P-D(228) property located on the east side of Coffee Road, south of Brighton Avenue

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-135 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 22-3-9 of the Zoning Map be set for June 26, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

PARCEL ONE:

COMMENCING at the Northwest corner of Lot 20 of BROUGHTON COLONY, said point being South 0° 30' East 0.31 feet from a 5x5x18 concrete monument set for the quarter corner common to Sections 21 and 22 in Township 3 South, Range 9 East; thence South 0° 30' East along the section line a distance of 174.00 feet to the true point of beginning; thence continuing along said section line South 0° 30' East a distance of 174.00 feet; thence leaving said Section line and running North 89° 53' 30" East, a distance of 357.00 feet; thence North 0° 30' West, a distance of 174.00 feet; thence South 89° 53' 30" West, a distance of 357.00 feet to the true point of beginning of this description.

PARCEL TWO:

ALL that portion of Lot 20 of the BROUGHTON COLONY, as per Map filed March 17, 1904, in Book 1 of Maps, Page 78, Stanislaus County Records described as follows:

COMMENCING at the Northwest corner of said Lot 20, said point being South 0° 30' East 0.31 feet from a 5x5x18 concrete monument set for the quarter corner common to Sections 21 and 22, Township 3 South, Range 9 East; thence South 0° 30' East along the section line a distance of 348.00 feet to the Southwest corner of the property described in the Deed to Tilda F. Stutz, a widow, recorded November 26, 1951, in Book 1058 at Page 133 of Official Records, as Series No. 27286 and the true point of beginning of this description; thence North 89° 53' 30" East 357.00 feet to the Southeast corner of said Tilda F. Stutz property and a point on the West line of the property described in the Deed to the City of Modesto, a municipal Corporation, recorded November 30, 1961, in Book 1725 at Page 86 of Official Records, as Series No. 39819; thence South 0° 30' East along the West line of said City of Modesto property, a distance of 145.31 feet, more or less, to a point on the North line of the South 5 acres of said Lot 20; thence South 89° 56' West along the North line of the South 5 acres of said Lot 20, a distance of 357.00 feet to a point on the West line of said Lot 20; thence North 0° 30' West along said West line 145.31 feet to the true point of beginning.

SCHEDULE "A"
RICHARDS, TALLENT AND DUROSETTI
6/5/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-562

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO AN UNCLASSIFIED USE PERMIT AMENDMENT (NEIGHBORHOOD CHURCH OF MODESTO)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to an Unclassified Use Permit to Neighborhood Church of Modesto for construction of a second-story office addition, property located at the southeast corner of Tully Road and Woodrow Avenue;

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-136 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Unclassified Use Permit be set for June 26, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-563

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (RULE ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from R-2 to P-D(229) for a one-story professional office complex, property located on the west side of Coffee, south of Chadwick Court

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-134 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for June 26, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Coffee Road and with the Easterly extension of the South line of the east-west 15-foot alley in Block 1047 in the Wilkinson Tract, according to the map thereof filed in Volume 17 of Maps at Page 64 in the Stanislaus County Records; thence Westerly along said extension and the South line of said 15-foot alley 659.4 feet to the West line of north-south 20-foot alley also in Block 1047; thence Southerly along the extension of the West line of said north-south 20-foot alley 159.8 feet to the point of intersection with north-west corner of P-D(10) as described by Ordinance No. 543-C.S. effective December 25, 1962; thence Easterly along a line that is parallel with the aforementioned South line of the 15-foot east-west alley in Block 1047 also being the North line of said P-D(10) and the Easterly extension thereof 659.4 feet to the point of intersection with the centerline of Coffee Road; thence Northerly along said centerline 159.8 feet to the point of beginning.

SCHEDULE "A"
Rule Enterprises
6/5/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-564

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (JAMES CORN)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 21, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from R-2 to P-D(227) to allow 13-unit 2-story condominium on the north side of E. Orangeburg Avenue east of Sunrise Avenue, east of John Sutter School the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-133 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for June 26, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

All that portion of the West one-half of the Northwest quarter of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of the West half of the Northwest quarter of the Northeast quarter of Section 21, above Township and Range; thence North 89° 41' 30" West along the South line of the Northwest quarter of the Northeast quarter of said Section 21, a distance of 270 feet, more or less, to a Southeasterly corner of the property conveyed to Modesto City School District and Stanislaus County, State of California, a public corporation, by Deed dated January 3, 1948, and recorded January 16, 1948, in Book 922 of Official Records, at Page 114, as Series No. 1120; thence along an Easterly and Southerly line of said Modesto City School District property the following two courses and distances; North 0° 40' 30" West 350 feet and South 89° 41' 30" East, 270 feet, to the East line of the West half of the Northwest quarter of the Northeast quarter of said Section 21; thence South 0° 40' 30" East along said East line 350 feet to the point of beginning.

EXCEPTING THEREFROM the East 135 feet thereof.

SCHEDULE "A"
JAMES CORN
6/5/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-565

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AMENDMENTS AND ADDITIONS TO THE ZONING REGULATIONS - OMNIBUS NO. 5

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 3, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** amendments and additions to the Zoning Regulations - Omnibus No. 5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June**, 19**79**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-566

A RESOLUTION ADOPTING A REVISED URBAN GROWTH POLICY FOR THE CITY OF MODESTO.

WHEREAS, Council of the City of Modesto adopted an Urban Growth Policy on March 25, 1974 by Resolution No. 74-238, and

WHEREAS, various revisions to the Growth Policy were approved by the Council by motion on May 16, 1978, and

WHEREAS, the people of the City of Modesto approved by initiative the Modesto Citizens Advisory Growth Management Act, otherwise known as Measure A, on March 6, 1979, and

WHEREAS, the City Council Public Projects Committee has met to consider means of implementing the provisions of Measure A with the Urban Growth Policy and has prepared proposed procedures and policy revisions.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised Urban Growth Policy for the City of Modesto incorporating the revisions approved on May 16, 1978 and the May, 1979 recommendations of the Public Projects Committee:

(a) That urban growth be directed to areas currently served with city services as long as economically reasonable. The amount of land developed each year and maintenance of an urban land inventory should also be considered.

(b) Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farm land, foster resident convenience and provide for economy in city services.

(c) Residential development should be encouraged in the west and southwest sections of the urban area. City-County cooperation and coordination is necessary to develop means to achieve this goal.

(d) That interim agricultural preservation of lands beyond the current sanitary

service area but within the ultimate sanitary sewer service area be supported by "opposition" to Williamson Act contract referrals from the County. Such "opposition" enables the landowner to break the contract and convert his land to urban uses without penalty if through annexation city services become available to the property.

(e) That long-term agricultural preservation of lands beyond the ultimate sanitary sewer service area be encouraged by support of Williamson Act contract referrals from the County.

(f) That by the first regular City Council meeting in October, or in years in which an advisory election is to be held, by the first regular City Council meeting the following January, the City staff prepare a written review of the effects of the urban growth policy and its supportive findings such as an update each year including but not limited to:

(1) Inventory of agricultural and vacant land suitable for residential development within the current sewer service area.

(2) The relationship between this inventory and the General Plan and zoning maps.

(3) Population growth.

(4) Building trends.

(5) Adequacy of all public services and their inclusion in the Capital Improvement Program (sewer, water, fire, police, parks, transportation networks, schools, etc.)

(6) Adequacy of utilities (P.G. & E., M.I.D., P.T. & T.).

(7) Residential land prices.

(8) Consideration of potential neighborhoods to be added to the current sewer service area during the ensuing five years.

(g) That during October, or, in years, in which an advisory election is to be held, during the following January, the Public Projects Committee shall meet to review the urban growth policy and make recommendations to the City Council. The Council shall determine which, if any trunk sewer extension(s) as defined by the Modesto Citizens Advisory Growth Management Act, (Measure A) shall be scheduled for a public advisory election in November and shall select potential neighborhoods to be added to the current sewer service area during the ensuing five years. Council review and actions shall be complete within one month following receipt of the Public Projects Committee recommendations.

(h) That any proposed sewer trunk extension(s) shall be subject to preparation of an Environmental Impact Report which shall include a General Plan Amendment, Neighborhood Zoning and Development Plan, Capital Improvement Program review, and Williamson Act contract review prior to holding an advisory election.

(i) That following the advisory election the Council shall hold a public hearing to determine which, if any, trunk sewer which has been voted upon shall be extended.

(j) That a determination to extend any trunk sewer shall be followed by Planning Commission and City Council review, via public hearing, and adoption of a General Plan and Neighborhood Zoning and Development Plan.

BE IT FURTHER RESOLVED that this Resolution supersedes Resolution No. 74-238 adopted by the Council on March 25, 1974.

The foregoing resolution was introduced at a regular meeting of the Council of

the City of Modesto held on the 5th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. Gwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-567

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM RECREATION DIVISION BUDGET TO WORD PROCESSING CENTER BUDGET FOR ADDITIONAL PART-TIME SALARIES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Parks & Recreation Salaries and Wages (120 320 101)	$3,000
TO:	Word Processing Salaries and Wates (120 110 101)	$3,000

To provide funding to the end of the fiscal year for part-time clerical assistance due to long-term illnesses of regular employees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th **day of** June, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-568

A RESOLUTION APPOINTING MEMBERS OF THE PLANNING COMMISSION (CAROL DAVIS AND RON SIMI)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Planning Commission for the respective term as indicated:

Carol Davis (replacing Frank Muratore)
229 Merlin Way
Modesto, Ca. 95350
Term to expire 1/1/80

Ron Simi (replacing Charles Jolitz)
701 Northwood Drive
Modesto, California
Term to expire 1/1/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 5th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-569

A RESOLUTION APPROVING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, DAVID A. WOOD, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, David A. Wood, against the City of Modesto was received on May 25, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, David A. Wood, against the City of Modesto, received on May 25, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian,who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-570

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY STAN AZEVEDO, OWNER OF TREE FROG TAVERN, APPEALING A DECISION OF THE BOARD OF ZONING ADJUSTMENT CONCERNING EXPANSION OF HIS BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 10, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Stan Azevedo, owner of Tree Frog Tavern, appealing a decision of the Board of Zoning Adjustment concerning expansion of his building.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-571

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF CHARLES PLASTER AS A MEMBER OF THE BOARD OF BUILDING APPEALS

WHEREAS, Charles Plaster was appointed as a member of the Board of Building Appeals on January 28, 1974; and

WHEREAS, Charles Plaster has tendered his resignation as a member of the Board of Building Appeals, effective June 12, 1979; and

WHEREAS, Charles Plaster has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Charles Plaster as a member of the Board of Building Appeals is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Charles Plaster for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-572

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN CALIFORNIA AVENUE FROM CARPENTER TO PANAMA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension in California Avenue from Carpenter to Panama **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 3, 1979 at 11:10 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-573

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE SLURRY SEAL OF VARIOUS STREETS - 1979

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the slurry seal of various streets - 1979 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on June 26, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-574

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR STREET LIGHT MODERNIZATION - ORANGE AVENUE POST TOP AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for street light modernization - Orange Avenue post top area **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 10, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-575

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RENOVATION OF PUMP STATION NO. 6

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the renovation of Pump Station No. 6 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 3, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-576

A RESOLUTION ACCEPTING THE BID OF VAN PELT FIRE TRUCKS FOR FURNISHING ONE NEW 1500 GPM FIRE PUMPER

WHEREAS, Resolution No. 79-432 **, adopted by the Council of the City of Modesto on** May 8, 1979 **, approved the plans and specifications for the** purchase of one new 1500 GPM Fire Pumper

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of one new 1500 GPM Fire Pumper

were opened at 2:00 p.m. on May 29, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Van Pelt Fire Trucks in the amount of $114,288.14

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Van Pelt Fire Trucks in the amount of $114,288.14

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-577

A RESOLUTION ACCEPTING THE BID OF VALLEY ELECTRIC FOR FURNISHING DRY CELL BATTERIES

WHEREAS, Resolution No. 79-430, adopted by the Council of the City of Modesto on May 8, 1979, approved the plans and specifications for the purchase of dry cell batteries

and authorized the calling for bids, and

WHEREAS, the bids received for the purchase of dry cell batteries

were opened at 2:15 p.m. on May 29, 1979, and later tabulated by the Director of Finance for the consideration of the Council, and

WHEREAS, the Director of Finance has recommended that the bid of Valley Electric in the amount of $3,500

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Valley Electric in the amount of $3,500

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-578

A RESOLUTION ACCEPTING THE BID OF MORROW & WAGGONER, INC. FOR CONSTRUCTION OF STREETS, CURB AND GUTTER AT STOCKARD, COFFEE PARK, AND LAKEWOOD PARK

WHEREAS, Resolution No. 79-460 **, adopted by the Council of the City of Modesto on** May 15, 1979 **, approved the plans and specifications for the** construction of streets, curb and gutter at Stockard, Coffee Park and Lakewood Park **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of streets, curb and gutter at Stockard, Coffee Park and Lakewood Park **were opened at** 11:00 a.m. on June 5, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Morrow and Waggoner, Inc. in the amount of $38,672.14 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Morrow and Waggoner, Inc. in the amount of $38,672.14 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-579

A RESOLUTION ACCEPTING THE BID OF CENTRAL VALLEY ROOFING COMPANY FOR REROOFING FIRE STATION NO. 1

WHEREAS, Resolution No. 79-485 **, adopted by the Council of the City of Modesto on** May 22, 1979 **, approved the plans and specifications for the** reroofing of Fire Station No. 1

and authorized the calling for bids, and

WHEREAS, the bids received for the reroofing of Fire Station No. 1

were opened at 11:05 a.m. on June 5, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Central Valley Roofing Company in the amount of $8,576.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Central Valley Roofing Company in the amount of $8,576.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-580

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR INSTALLATION OF CURB AND SIDEWALK AT 2035 W. RUMBLE ROAD

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, informal bids were opened on May 29, 1979, for the installation of curb and sidewalk at 2035 W. Rumble Road as part of the Mandatory Sidewalk Program; and

WHEREAS, the low bid of $4,239 submitted by ABC Construction is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,239, to ABC Construction Company for installation of curb and sidewalk at 2035 W. Rumble Road is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Colle
NORRINE COLLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-581

A RESOLUTION ACCEPTING THE INSTALLATION OF DRAPERIES AT MODESTO CITY HALL AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the** installation of draperies at Modesto City Hall **has been** completed by Contract Carpet Company **in accordance with the contract agreement dated** January 9, 1979.

NOW, THEREFORE, BE IT RESOLVED that the installation of draperies at Modesto City Hall **be accepted from said contractor,** Contract Carpet Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $16,554 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-582

A RESOLUTION ACCEPTING THE CONSTRUCTION OF FIRE STATION NO. 6 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Fire Station No. 6 has been completed by L.E. McGraw Construction in accordance with the contract agreement dated June 19, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of Fire Station No. 6 be accepted from said contractor, L.E. McGraw Construction; that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $284,684.65 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-583

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS SUNNYSIDE ANNEXATION TO THE CITY OF MODESTO AND ORDERING THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 79-367, adopted on April 17, 1979, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain uninhabited territory known as Sunnyside Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 79-367, the Council fixed the 12th day of June, 1979, at the hour of 7:30 o'clock P.M., in the Council Chanbers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 79-367 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus, and being the official newspaper of the City of Modesto, said publications being completed at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 12th day of June, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, written protests have not been filed by the owners of fifty (50%) percent of the total assessed value of land and improvements within the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and

private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated March 21, 1979, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Sunnyside Annexation to the City of Modesto, is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate

of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CORRECTED 7-12-79

SUNNYSIDE ANNEXATION

Legal Description

Commencing at the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 0° 15' East on the west line of said Section 27, also being the centerline of 90 foot wide Coffee Road, 495 feet to the POINT of BEGINNING of this description; thence continuing South 0° 15' East 621.25 feet on said sectionline - centerline; thence North 89° 16' 35" East 132.04 feet; thence North 0° 15' West 152.94 feet to the Northwest corner of Lot 28 of Sunnyside Acres, as shown on that map recorded in Volume 5 of Maps, at Page 45; thence North 74° 27' 42" East 273.30 feet to the Northeast corner of Lot 29 of said Sunnyside Acres; thence South 0° 15' East 305.78 feet along the east line of said Lot 29 to the centerline of 50 foot wide Scenic Drive; thence North 69° 14' East 14.076 feet on said centerline; thence North 0° 15' West 292.38 feet to the Northeast corner of Lot 30 of said Sunnyside Acres; thence North 74° 27' 42" East on the Northerly line of Lot 31 of said Sunnyside Acres 136.65 feet to the centerline of 40 foot wide Sunnyside Avenue; thence North 0° 15' West of said centerline a distance of 646.04 feet to the Northeast corner of Lot 6 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the Northwest corner of said Lot 6; thence South 0° 15' East 330.0 feet to the Southwest corner of Lot 14 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the POINT of BEGINNING.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-584

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (219).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Stan Galas on December 19, 1978, to reclassify from Medium High Density Residential Zone, R-3 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southwest Quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Southwest corner of said Section 21; thence North 0° 56' 00" West 1,046.54 feet along the West line of said Section to the westerly extension of the South line of 60-foot wide Hintze Avenue; thence North 88° 57' 00" East 238.00 feet along said South line to the POINT OF BEGINNING of this description; thence continuing along said South line of Hintze Avenue North 88° 57' 00" East 195.58 feet; thence North 80° 57' 00" East 56.97 feet along said South line; thence South 0° 39' 00" East 109.02 feet; thence South 22° 41' 00" East 62.69 feet; thence South 89° 34' 00" East 146.71 feet to the West line of the 10-foot abandoned alley adjoining Block 621 of the Amended Map of Leslie Hugh Tract; thence South 0° 54' 00" East 95.00 feet along said West line; thence North 88° 55' 00" West 421.14 feet more or less; thence North 0° 56' 00" West 245.28 feet, more or less, to the end of this description.

Including the Southerly 30 feet of Hintze Avenue immediately adjacent to the above described property.

WHEREAS, after public hearing held on March 19, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed uses are an expansion of an existing use.
2. The proposal brings the existing facility into conformance with the off-street parking requirements.
3. The P-D plan and conditions of approval assure a reasonable degree of compatibility between this development and the surrounding residential developments.

WHEREAS, a public hearing on said proposed amendment to Section 21-3-9 of the Zoning Map was set for April 24, 1979, at 7:30 o'clock p.m. before the City Council at its regular meeting place in the Council Chambers, City Hall, 801 11th Street, Modesto, California, at which time said hearing was continued to June 12, 1979, at 7:30 o'clock p.m., and at said continued hearing the Council found and determined that the application of Stan Galas for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1838 -C. S., on the 12th day of June, 1979, reclassifying the above-described property from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D (219).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (219), is hereby approved in accordance with the plot plan titled "Proposed Banquet Hall and Lounge for Sundial Lodge) _____, as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall be in accordance with the above referred to revised plan as amended in red on its face, stamped approved by the Planning Commission on March 19, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the eastern and southern property lines.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 6 street trees.

5. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That prior to occupancy of any phase of the development, that portion of the eight foot high solid decorative masonry wall shown on the plot plan within that phase shall be constructed.

7a. That as part of Phase I the applicant shall install a six foot high board fence along the easterly boundary of Phase I parking as shown on the plot plan. During Phases I and II there shall be no vehicular access to the Phase III portion of the parking lot east of this fence from the site or Hintze Avenue.

8. That all signs shall comply with the sign requirements of the C-2 Zone.

9. That no signs shall be permitted on the north, east or south faces of the new buildings.

10. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

11. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

12. That no operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the premises shall be soundproofed in accordance with the requirements of the Director of Public Works.

13. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

14. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

15. That the applicant shall record a "Notice of Conditions" form indicating that this resolution has been issued and contains conditions affecting use of the property.

16. That the developer shall dedicate and improve Hintze Avenue to collector street standards to the center line of the existing street in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City of Modesto, whichever occurs first.

17. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans and dedications shall be made prior to occupancy of the premises as required by the Director of Public Works.

18. That during Phase I the easterly half of the parking lot shown as Phase III shall be chained or barricaded so as to prevent parking in the area. Any temporary fencing to be installed between the two phases of the parking lots shall be subject to approval by the Director of Planning and Community Development.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (219):

To be accomplished in three phases as follows:

Phase I: The westerly half of the parking lot as shown on the plot plan, all street improvements on Hintze Avenue, and the 8-foot masonry wall along all eastern and southern boundaries of the entire P-D Zone. Construction to commence on or before July 1, 1980, and be completed by July 1, 1981.

Phase II: The cocktail lounge, construction to commence on or before July 1, 1986, and be completed by July 1, 1987.

Phase III: The banquet hall and the easterly half of the parking lot as shown on the plot plan. Construction to commence on or before July 1, 1986, and be completed by July 1, 1987.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (219) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Mathis
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-585

A RESOLUTION CERTIFYING REVIEW OF FINAL ENVIRONMENTAL IMPACT REPORT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GALAS)

WHEREAS, on June 12, 19 79, the City Council introduced Ordinance No. 1838 -C.S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Medium High Density Residential Zone, R-3 to Planned-Development Zone, P-D (219), and

WHEREAS, the City Council certifies that it reviewed and considered the Final Environmental Impact Report in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map to rezone certain property from Medium High Density Residential Zone, R-3 to Planned-Development Zone, P-D (219).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: Siefkin

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-586

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 76-1344 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(147). (St. Paul's Episcopal Church)" AND CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT.

WHEREAS, the City Council, by Ordinance No. 1566-C. S. which was introduced on December 20, 1976, finally adopted on January 3, 1977, and which became effective on February 2, 1977, amended Section 23-3-9 of the Zoning Map of the City of Modesto to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(147) property located at the southeast corner of Briggsmore Avenue and Oakdale Road to allow a church, a business and professional office complex, a book store, and a 50-dwelling unit retirement center, and

WHEREAS, City Council Resolution No. 76-1344 was adopted on December 20, 1976, and approved the development plan for P-D(147) and contained the conditions of approval thereof, and

WHEREAS, an application was filed by St. Paul's Episcopal Church for an amendment to P-D(147) to allow utilization of the church facilities for a maximum 95 child day care nursery, increase the number of elderly housing units from 50 to 100 units, and inclusion of a bank of other financial institution in the professional office portion of said P-D Zone, and

WHEREAS, a public hearing was held by the Planning Commission on April 16, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, by Resolution No. 79-110 adopted by the Planning Commission at said hearing, it was found and determined that an amendment to P-D(147) to increase in density the housing complex to 100 units and utilization of the church for a maximum 95 child day care nursery is required by public necessity, convenience and general welfare for the following reasons:

1. The presently approved plans for 2-story development would be more realistic for 100 units than for 50 units since each unit, now 900 square feet, would average 450 square feet which is a more contemporary elderly housing unit size.

2. Church facilities particularly at the subject location are optimum for child care due to their conformance with higher building and fire code standards,

and

WHEREAS, at said hearing, the Planning Commission recommended an amendment to P-D(147) to allow use of the church facilities for a maximum 95 child day care center and a maximum 100 unit elderly housing complex, subject to the specifications and limitations of City Council Resolution No. 76-1344 referred to above and the additional condition that prior to occupancy of either the office or the elderly housing phase of the P-D(147) Zone, the applicant shall construct concrete curb and gutter along Briggsmore Avenue within that phase in accordance with the requirements of the Director of Public Works, and

WHEREAS, at said hearing, the Planning Commission denied the requested amendment to Planned Development Zone, P-D(147) to allow a bank or other financial institution, and

WHEREAS, after a public hearing held on June 12. 1979, the Council found and determined that the application of St. Paul's Episcopal Church for an amendment to Planned Development Zone, P-D(147) should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-110 and quoted above, and introduced Ordinance No. 1839-C. S. amending Section 2 of Ordinance No. 1566-C. S. to allow the increase in density of the housing complex to 100 units and utilization of the church facilities for a maximum 95 child day care nursery, and

WHEREAS, at said public hearing on June 12, 1979, the Council found and determined, upon recommendation of the Planning Commision, that Section 1 of Resolution No. 76-1344 entitled "A Resolution Approving A Development Plan For Planned-Development Zone, P-D(147). (St. Paul's Episcopal Church)" should be amended to add an additional condition thereto relating to the requirement that prior to occupancy of either the office or the elderly housing phase of P-D(147), the applicant shall construct concrete curb and gutter along Briggsmore Avenue within that phase in accordance with the requirements of the Director of Public Works, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Resolution No. 76-1344 entitled "A Resolution Approving A Development Plan For Planned-Development Zone, P-D(147). (St. Paul's Episcopal Church)" is hereby amended to add Condition No. 12 thereto to read as follows:

> "12. That prior to occupancy of either the office or the elderly housing phase of the P-D(147) zone, the applicant shall construct concrete curb and gutter along Briggsmore Avenue within that phase in accordance with the requirements of the Director of Public Works."

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Kullijian, Lang

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-587

A RESOLUTION DENYING THE APPEAL FILED BY ST. PAUL'S EPISCOPAL CHURCH FOR AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(147) TO ALLOW A FINANCIAL INSTITUTION, AND THE REQUIREMENT OF THE CONSTRUCTION OF CONCRETE CURB AND GUTTER ALONG BRIGGSMORE AVENUE, AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application was filed by St. Paul's Episcopal Church for an amendment to Planned Development Zone, P-D(147) to allow utilization of the church facilities therein for a maximum 95 child day care nursery, increase the number of elderly housing units from 50 to 100 units, and inclusion of a bank or other financial institution in the professional office portion of said P-D Zone, and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of April 16, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by Resolution No. 79-110, approved an amendment to Planned Development Zone, P-D(147) to allow the requested increase in density of the housing complex to 100 units and utilization of the church for a maximum 95 child day care nursery subject to the condition that prior to occupancy of either the office or the elderly housing phase of the P-D(147) Zone, the applicant shall construct concrete curb and gutter along Briggsmore Avenue within that phase in accordance with the requirements of the Director of Public Works, and

WHEREAS, at said meeting referred to above, the Planning Commission, after hearing evidence both oral and documentary, by its Resolution No. 79-110, denied an amendment to Planned Development Zone, P-D(147) to allow a bank or other financial institution at or near the northwest corner of P-D(147), for the following reasons:

1. The Planning Commission and City Council, by previous Code amendment have determined that banks, savings and loan associations, and other financial institutions do not belong in professional office developments but rather are deemed commercial uses.

2. There is commercial zoning which can accommodate such commercial uses close by, to the north and to the south from the subject property.

3. An amendment to P-D(147) to allow a bank or other financial institution would constitute a commercial rezoning not in conformance with the General Plan,

and

WHEREAS, an appeal was filed with the City Clerk of the City of Modesto by St. Paul's Episcopal Church by letter dated April 23, 1979, to the decision of the Planning Commission denying its application for an amendment to Planned Development Zone, P-D(147) to allow a bank or other financial institution at or near the northwest corner of said P-D(147), and requiring the construction of concrete curb and gutter along Briggsmore Avenue, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock plm. on June 12, 1979, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by St. Paul's Episcopal Church to the decision of the Planning Commission denying an amendment to Planned Development Zone, P-D(147) to allow the inclusion of a bank or other financial institution in the professional office portion of said P-D Zone should be denied for the reasons set forth in Planning Commission Resolution No. 79-110 and quoted above, and

WHEREAS, at said meeting, the Council, after hearing evidence both oral and documentary, also found and determined that said appeal to the decision of the Planning Commission requiring the construction of concrete curb

and gutter along Briggsmore Avenue in said P-D(147) should be denied for the reason that the current City policy calls for installation of curb and gutter on Briggsmore Avenue by the developers of abutting properties, and

WHEREAS, the Council further found and determined that the decision of the Planning Commission denying both the requested amendment to P-D(147) to allow a bank or other financial institution, and requiring the construction of concrete curb and gutter along Briggsmore Avenue should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by St. Paul's Episcopal Church to the decision of the Planning Commission denying an amendment to Planned Development Zone, P-D(147) to allow the inclusion of a bank or other financial institution in the professional office portion of said P-D Zone, and requiring the construction of concrete curb and gutter along Briggsmore Avenue is hereby denied for the reasons hereinabove set forth, and the decision of the Planning Commission is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Kullijian, Lang

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-588

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (225).

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by Errol C. Vrh on February 8, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of the Southerly portion of Lot 9 of Maze Ranch Subdivision according to the map filed in Book 4 of Maps, at Page 18 in the Stanislaus County Records, bounded by the East line of Carpenter Road, a 90-foot roadway, by the South line of the property deeded to the State of California, for freeway purposes on June 12, 1961 in Book 1689 at Page 513, by the West line of Elmwood Estates No. 3, filed in Volume 23 of Maps, at Page 49 all in Stanislaus County Records and by the South line of said Lot 9 also being the centerline of Elm Avenue, a 40-foot roadway.

WHEREAS, after a public hearing on April 16, 1979, and continued to May 7, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed use is located on a major street and is bounded to the south by approved zoning for a neighborhood shopping center and to the north by a future freeway right-of-way.

2. The P-D plan and conditions of approval assure a degree of compatibility consonant with the residential area to the east.

WHEREAS, after a public hearing held on June 12, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Errol C. Yrh for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1840 -C.S. on the 12th day of June, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (225).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (225), is hereby approved in accordance with the plan titled "V. R. H. Furniture", as amended in red on its face, stamped approved by the Planning Commission on May 17, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the above referred to plan, as amended in red on its face, stamped approved by the Planning Commission on May 7, 1979, and on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the east property line.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall record a "Notice of Conditions" form.

5. That the applicant shall install fire hydrants and the pipeline system therefore in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to construction of any structures.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That prior to occupany of the premises, an eight-foot high solid decorative masonry wall shall be constructed along the east boundary of the property adjacent to residential zoning.

8. That all signs shall comply with the sign requirements of the H-1 Zone.

9. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That no operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrical interference detectable off the premises. All machinery or equipment located on the premises shall be soundproofed in accordance with the requirements of the Director of Public Works.

12. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies serving the development and in accordance with the requirements of the Director of Public Works.

13. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirments of the City Engineer.

14. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

15. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Carpenter Road to a major street standard in accordance with the requirements of the Director of Public Works.

16. That upon demand by the City, the developer shall dedicate additional right-of-way to complete Elm Avenue to a collector street standard in accordance with the requirements of the Director of Public Works.

17. That the developer shall improve Carpenter Road to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City of Modesto, whichever occurs first.

18. That the developer shall improve Elm Avenue to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City of Modesto, whichever occurs first.

19. That the loading dock area on the east side of the shopping center may not be used for outside storage of any type of material.

20. If there is a loading dock on the east side of the building, that all activities in the loading dock area, including the parking of trucks, may be conducted only between the hours of 7 a.m. and 10 p.m.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (225) :

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1980, and completion to be not later than January 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (225) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: - Councilmembers: Bright, Kullijian, Lang, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Wilbur Brooks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-589

A RESOLUTION CERTIFYING REVIEW OF FINAL ENVIRONMENTAL IMPACT REPORT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ERROL C. VRH)

WHEREAS, on June 12, 19 79, the City Council introduced Ordinance No. 1840 C. S. giving approval to a project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(225), and

WHEREAS, the City Council certifies that it reviewed and considered the Final Environmental Impact Report in regard to the environmental impact of the subject project

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(225).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-590

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ELMO WILSON, SR. FOR IMPROVING PARKING LOT #34 (NEXT TO THE STRAND THEATER)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Elmo Wilson, Sr.

for improving parking lot #34 (next to the Strand Theater)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-591

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PACIFIC GAS AND ELECTRIC COMPANY TO RELOCATE GAS SERVICE AT PUMP STATION NO. 6

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Pacific Gas and Electric Company to relocate gas service at Pump Station No. 6 located at the southwest corner of East Morris and Melrose Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-592

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN A. HUGGINS FOR WATER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1009 DOVER AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John A. Huggins **for** water service to property outside City limits at 1009 Dover Avenue, located on the north side of Dover Street, between Church Lane and Midway Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-593

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MARION T. AND EVELYN E. MERRELL FOR THE PURCHASE OF A 31,590± S.F. LOT FOR DEL WEBB SOCCER FIELD PARKING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. and Mrs. Marion T. Merrell for the purchase of a 31,590± s.f. lot improved with two small rental houses, for Del Webb Soccer Field parking, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-594

A RESOLUTION AUTHORIZING THE ESTABLISHMENT OF A MID-BLOCK CROSSWALK ACROSS CORALWOOD DRIVE 1,005 FEET EAST OF MC HENRY AVENUE.

WHEREAS, it is deemed desirable to establish a mid-block crosswalk at a certain location in the City of Modesto to facilitate street crossing by pedestrians, and

WHEREAS, Section 21106(a) of the Vehicle Code of the State of California provides that local authorities, by ordinance or resolution, may establish cross-walks between intersections,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Parking and Traffic is hereby directed to establish, designate and maintain a mid-block crosswalk as hereinafter set forth, and to designate such mid-block crosswalk by appropriate devices, marks or lines upon the surface of the roadway:

Across Coralwood Drive 1,005 feet east of McHenry Avenue

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:
By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-595

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (TROMBETTA)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 29, 1979 **, in the Council Chambers, City Hall, for the** purpose of considering an amendment to Section 12-3-8 of the Zoning Map, to rezone from R-1 to R-3, property located on the west side of Prescott Road, north of Standiford Avenue

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-143 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 **of the Zoning Map be set for** July 3, 1979 at 4:00 p.m., **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the Northeast Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the East Quarter corner of said Section 12; thence North 0°42'15" West along the East line of said Section 12 1005.73 feet to the Southeast corner of Hollandia Estates recorded in Volume 27 of Maps, Page 69, Stanislaus County Records and the true POINT OF BEGINNING of this description; thence South 88°58'33" West along the south boundary of said Hollandia Estates 395.46 feet; thence South 0°42'15" East 718.96 feet to the Northerly Right-Of-Way line of M.I.D. Lateral No. 7; thence North 66°06'27" East along said North Right-Of-Way of M.I.D. Lateral No. 7, 82.18 feet; thence Northeasterly 314.85 feet along said Northerly Right-Of-Way of M.I.D. Lateral No. 7 being a tangent curve, concave to the North having a radius of 762.00 feet and a central angle of 23°40'27"; thence North 42°26'00" East along a tangent line and said Northerly Right-Of-Way of M.I.D. Lateral No. 7, 93.47 feet to said west line of Section 12; thence North 0°42'15" West along said west line of Section 12 a distance of 441.18 feet to the point of beginning.

SCHEDULE "A"
TROMBETTA
6/12/79 ITEM 30

MODESTO CITY COUNCIL
RESOLUTION NO. 79-596

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 30-3-9 OF THE ZONING MAP (R.T. HUGHES COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 29, 1979 **, in the Council Chambers, City Hall, for the** purpose of considering an amendment to Section 30-3-9 of the Zoning Map, to rezone from M-1 to P-D(230), property located on the northwest corner of Kansas and Lone Palm Avenues

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-146 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 30-3-9 of the Zoning Map be set for July 10, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Lots 7 and 8 of MAZE COLONY, as per Map filed March 24, 1904, in Volume 1 of Maps, Page 83, Stanislaus County Records, lying in Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the true Southeast corner of said Lot 8, said corner being the intersection of the South line of 40-foot County Road known as Kansas Avenue with the centerline of 30-foot Avenue known as Lone Palm Avenue, running thence South 89° 49' West along the South line of said Lot 8 and being also the South line of said Kansas Avenue, a distance of 360.40 feet to a point that bears North 89° 49' East 299.60 feet from the true Southwest corner of said Lot 8; thence North 0° 58' West parallel with the West line of said Lot 8, a distance of 40 feet to a point on the North line of said Kansas Avenue and being the South corner of land conveyed to Manuel S. Gonsalves, et ux by Deed recorded February 2, 1944 as Instrument No. 1683; thence North 0° 01' East along the East line of said Gonsalves land, a distance of 294.05 feet to the Northeast corner thereof; thence North 89° 49' East parallel with the South line hereof a distance of 355.40 feet to the East line of said Lot 7 and being the centerline of Lone Palm Avenue; thence South 0° 58' East along the East line of said Lots 7 and 8 and the centerline of said Lone Palm Avenue, a distance of 334 feet to the point of beginning.

Excepting therefrom all that portion of Kansas Avenue that is situated between the centerline of Kansas Avenue and the South line of the above-described property.

SCHEDULE "A"
R.T. HUGHES COMPANY
6/12/79 ITEM 31

MODESTO CITY COUNCIL
RESOLUTION NO. 79-597

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-10 OF THE ZONING MAP (MID-CAL LAND DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 4, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 19-3-10 of the Zoning Map to rezone from R-1 to P-D(231), property located on the east side of Claus Road, north of East Orangeburg Avenue

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-156 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-10 of the Zoning Map be set for July 3, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All the certain property situate in Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, located in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of said Section 19, thence South 0° 39' 16" East along the West line of Section 19, a distance of 661.18 feet to the true point of beginning of this description; thence continuing South 0° 39' 16" East along the West line of Section 19, a distance of 661.18 feet; thence South 89° 42' 04" East 1257.81 feet; thence North 0° 30' 48" West 655.78 feet; thence North 89° 27' 23" West 1259.52 feet to the true point of beginning of this description.

Containing 18.644 acres

SCHEDULE "A"
MID-CAL LAND DEVELOPMENT
6/12/79 ITEM 32

MODESTO CITY COUNCIL
RESOLUTION NO. 79-598

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 23-3-9 OF THE ZONING MAP (PLANNING COMMISSION INITIATED - GARY DAVIS)

WHEREAS, the Modesto City Planning Commission held a public hearing on May 29, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 23-3-9 of the Zoning Map, to rezone from P-D(170) to R-1 and R-2, property located on the north side of Scenic Drive, east of Oakdale Road

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-142 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 23-3-9 of the Zoning Map be set for July 3, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

P-D(170) to R-1

Parcel No. 1

All that portion of Lot 4 of Elbert Tract, according to the Official Map thereof filed in the office of the Recorder of Stanislaus County, California, on January 21, 1908, in Volume 3 of Maps, at page 28, more particularly described as follows, to wit:

COMMENCING at the northwest corner of said Lot 4 at the center of the irrigation ditch; thence South 74° 58' East, 3.13 chains along the center of said irrigation ditch, and along the boundary of said Lot 4; thence South 0° 45' East 11.55 chains to the center of the County Road; and South boundary line of said Lot 4; thence North 67° 13' West 3.28 chains along the center of said County Road, and South boundary of said Lot 4; thence North 0° 45' West, 11.11 chains along the West boundary line of said Lot 4 to the point of commencement.

Parcel No. 2

The North 463.24 feet of the following described property:

All that portion of the Southwest quarter of the Southwest quarter of Section 23, in Township 3 South, Range 9 East, Mount Diablo Base and Meridian, bounded and particularly described as follows:

BEGINNING at a point North 89° 17' East 491.92 feet from a point on the Section line between Sections 22 and 23, above Township and Range, and 876.48 feet North of the Southwest corner of said Section 23; said point being the Northeast corner of land conveyed to Gerald H. Graham and wife, by Deed recorded August 29, 1932, in Volume 479 of Official Records, at page 29, as Instrument No. 8367, running thence South along the East line of said Graham's property 701.05 feet to the center line of County Road; thence South 74° East along center line of said County Road, a distance of 82 feet to a point; thence North and parallel with the East line of land of said Graham, a distance of 254 feet to a point; thence at right angles East 78.5 feet to a point on the East line of land conveyed to George Darby and wife, by Deed recorded December 20, 1933, in Volume 511 of Official Records, at page 251, as Instrument No. 8896; thence North along the East line of land of said George Darby and wife, 463.24 feet to the Northeast corner of land of said George Darby and wife; thence West along the North line of land of said George Darby and wife a distance of 153.92 feet to the point of beginning.

EXCEPTING THEREFROM all that Southerly portion of the above described Parcels No. 1 and No. 2 that is situated between the centerline of Scenic Drive and a line that is 325 feet North of and parallel to said centerline.

SCHEDULE "A"
Gary Davis
6/12/79 Item 33

P-D(170) to R-2

All that portion of the following described Parcels No. 1 and No. 2 that is situated between the centerline of Scenic Drive and a line that is 325 feet north of and parallel to said centerline.

Parcel No. 1

All that portion of Lot 4 of Elbert Tract, according to the Official Map thereof filed in the office of the Recorder of Stanislaus County, California, on January 21, 1908, in Volume 3 of Maps, at page 28, more particularly described as follows, to wit:

COMMENCING at the northwest corner of said Lot 4 at the center of the irrigation ditch; thence South 74° 58' East, 3.13 chains along the center of said irrigation ditch, and along the boundary of said Lot 4; thence South 0° 45' East 11.55 chains to the center of the County Road; and South boundary line of said Lot 4; thence North 67° 13' West 3.28 chains along the center of said County Road, and South boundary of said Lot 4; thence North 0° 45' West, 11.11 chains along the West boundary line of said Lot 4 to the point of commencement.

Parcel No. 2

The North 463.24 feet of the following described property:

All that portion of the Southwest quarter of the Southwest quarter of Section 23, in Township 3 South, Range 9 East, Mount Diablo Base and Meridian, bounded and particularly described as follows:

BEGINNING at a point North 89° 17' East 491.92 feet from a point on the Section line between Sections 22 and 23, above Township and Range, and 876.48 feet North of the Southwest corner of said Section 23; said point being the Northeast corner of land conveyed to Gerald H. Graham and wife, by Deed recorded August 29, 1932, in Volume 479 of Official Records, at page 29, as Instrument No. 8367, running thence South along the East line of said Graham's property 701.05 feet to the center line of County Road; thence South 74° East along center line of said County Road, a distance of 82 feet to a point; thence North and parallel with the East line of land of said Graham, a distance of 254 feet to a point; thence at right angles East 78.5 feet to a point on the East line of land conveyed to George Darby and wife, by Deed recorded December 20, 1933, in Volume 511 of Official Records, at page 251, as Instrument No. 8896; thence North along the East line of land of said George Darby and wife, 463.24 feet to the Northeast corner of land of said George Darby and wife; thence West along the North line of land of said George Darby and wife a distance of 153.92 feet to the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-599

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO PLANNED DEVELOPMENT ZONE P-D(172) - R.T. HUGHES COMPANY

WHEREAS, the Modesto City Planning Commission held a public hearing on May 29, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Planned Development Zone P-D(172) property located on the northwest corner of Standiford Avenue and Colonial Drive,

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-145 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(172) of the Zoning Map be set for July 10, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-600

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND MODESTO POLICE ASSOCIATION AND AUTHORIZING STAFF TO IMPLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the memorandum of understanding between the City of Modesto and Modesto Police Association for salary and fringe benefits covering the two fiscal years of 1979-80 and 1980-81, commencing July 1, 1979, and ending June 30, 1981, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said memorandum of understanding by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 12th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-601

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY GREGORY DEVELOPMENT COMPANY TO A DECISION OF THE PLANNING COMMISSION CONCERNING P-D (133)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 17, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Gregory Development Company to a decision of the Planning Commission concerning P-D(133).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-602

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY BOB SCOTT, R.T. HUGHES CO., TO A PLANNING COMMISSION DECISION CONCERNING REZONING PROPERTY ON THE SOUTHWEST CORNER OF ROSE AVENUE AND ANGELENE DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 10, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Bob Scott, R.T. Hughes Co., to a Planning Commission decision concerning rezoning property on the southwest corner of Rose Avenue and Angelene Drive.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-603

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, TODD A. PRESLEY, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, Todd A. Presley, against the City of Modesto was received on June 14, 1979, in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Todd A. Presley, against the City of Modesto, received on June 14, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-604

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR FURNISHING ANNUAL LAMP REQUIREMENTS, AND OPENED IN THE OFFICE OF THE CITY CLERK ON JUNE 5, 1979, AT 2:00 P.M. AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 79-462, adopted by the Council of the City of Modesto on May 15, 1979, approved the plans and specifications for purchasing annual lamp requirements and authorized the call for bids; and

WHEREAS, the bids received for furnishing annual lamp requirements were opened at 2:00 p.m. on June 5, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, only two firms responded to call for bids and investigations by staff revealed the fact that several distributors did not receive copies of the specification; and

WHEREAS, the Director of Finance recommends that all bids be rejected and that Council authorize new call for bids be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for furnishing annual lamp requirements and opened in the office of the City Clerk on June 5, 1979, at 2:00 p.m., are hereby rejected.

BE IT FURTHER RESOLVED that a new call for bids for furnishing annual lamp requirements to be opened July 10, 1979, at 2:00 p.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-605

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR SALE OF HOUSE TO BE MOVED FROM LAND ACQUIRED FOR BRIGHTON AVENUE REALIGNMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for sale of house to be moved from land acquired for Brighton Avenue realignment **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 17, 1979 at 10:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-606

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF ADDITIONAL RIP RAP ON OXIDATION POND LEVEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of additional rip rap on oxidation pond levee **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 10, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-607

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF IRRIGATION AND LANDSCAPING AT EAST LALOMA PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for installation of irrigation and landscaping at East LaLoma Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 10, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-608

A RESOLUTION ACCEPTING THE BID OF GEORGE REED FOR CONSTRUCTION OF AIRCRAFT PARKING APRON AT THE MODESTO CITY-COUNTY AIRPORT - CAAP Project No. 1-78-1

WHEREAS, Resolution No. 79-431 **, adopted by the Council of the City of Modesto on** May 8, 1979 **, approved the plans and specifications for the** construction of an aircraft parking apron at the Modesto City-County Airport - CAAP Project No. 1-78-1 **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of an aircraft parking apron at the Modesto City-County Airport **were opened at** 11:00 a.m. on May 29, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** George Reed in the amount of $106,856.60

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed in the amount of $106,856.60

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-609

A RESOLUTION ACCEPTING THE BID OF MODESTO INDUSTRIAL ELECTRICAL COMPANY, INC. FOR THE REPLACEMENT OF BALLPARK LIGHTING AT DAVIS PARK

WHEREAS, Resolution No. 79-461 **, adopted by the Council of the City of Modesto on** May 15, 1979 **, approved the plans and specifications for the** replacement of ballpark lighting at Davis Park

and authorized the calling for bids, and

WHEREAS, the bids received for the replacement of ballpark lighting at Davis Park **were opened at** 2:00 p.m. on June 12, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Modesto Industrial Electrical Company, Inc. in the amount of $22,931 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Industrial Electrical Company in the amount of $22,931 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-610

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, various street lighting equipment listed on Exhibit "A" attached hereto and made a part hereof by this reference has become surplus property as a result of the City's street light conversion program to energy efficient high pressure sodium lights,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell to the highest bidder the items of personal property of the City of Modesto, shown on Exhibit "A" attached hereto and heretofore made a part hereof by reference. Said personal property is hereby found to be surplus.

SECTION 2. The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by

Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

Street Lighting equipment.

Westinghouse horizontal burning cobra head type luminaires, OV style, all with no glass.

400 watt mercury vapor, 110 volt ballast ---	12
250 watt mercury vapor, 6.6 amp ballast ---	33
175 watt mercury vapor, 6.6 amp ballast ---	2
250 watt mercury vapor, no ballast or PE receptacle ---	9

General Electric luminaires as above, all 250 watt mercury vapor units with 6.6 amp ballasts --- 19

Subdivision (Bee Hive) type luminaires, complete with glass, reflectors etc.

6M lumen incandescent type ---	12
Same as above but with 250 watt mercury vapor conversion kit mounted in head. For 110 volt operation ---	19
Same as above with 175 watt conversion kit ---	2

Subdivision (Bee Hive)type luminaires with no glass or reflectors ----	150
Reflectors for above ---	71

ITT horizontal burning type luminaires for use with remote mounted ballasts. 400 watt mercury-vapor, complete with glass	109
Same as above but with no glass ---	16

Sports area lighting equipment.

Westinghouse Sports Lighter, 1500 watt incandescent-fixtures complete with glass. Narrow and wide beam mixed ----	75
Same as above without glass ---	5

Various open type 1500 watt incandescent fixtures for verticle or corner type mounting --- 27

Ballasts only for horizontal burning type cobra head fixtures

400 watt, 6.6 amp --- mercury vapor ---	2
250 watt, 6.6 amp --- mercury vapor ---	34
400 watt, 110 volt -- mercury vapor ---	77
400 watt, 220 volt -- mercury vapor ---	13
250 watt, 110 volt -- mercury vapor ---	71
250 watt, 220 volt -- mercury vapor ---	9
175 watt, 110 volt -- mercury vapor ---	20

Note: the above ballasts are for internal mounting in the heads.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-611

A RESOLUTION ACCEPTING THE CONSTRUCTION OF MELLIS PARK BASKETBALL COURT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Mellis Park basketball court has been completed by L.E. McGraw Construction in accordance with the contract agreement dated February 27, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Mellis Park basketball court be accepted from said contractor, L.E. McGraw Construction; that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $9,943 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-612

A RESOLUTION WAIVING THE BOND REDEMPTION CHARGE FOR RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTY FOR THE 1979-80 FISCAL YEAR.

WHEREAS, Section 5-6.04 of the Modesto Municipal Code provides that each person owning property within the Modesto Municipal Sewer District No. 1 shall pay a bond redemption charge to the City for connecting to the sewage system, and

WHEREAS, subsection (a) of said Section 5-6.04 provides that the bond redemption charge per residential dwelling unit, mobile home or mobile home space in a mobile home park shall increase at the rate of $25.00 per dwelling unit annually on July 1st of each year, unless specifically waived for the year involved by resolution of the City Council, and

WHEREAS, the City Staff has made a detailed review of revenue and expenditures and has recommended that the $25.00 increase be waived for the 1979-80 fiscal year, and

WHEREAS, subsection (b) of said Section 5-6.04 provides that the bond redemption charge of commercial and industrial property per acre shall increase at the rate of $100.00 per acre annually on July 1st of each year, unless specifically waived for the year involved by resolution of the City Council, and that churches shall pay the commercial bond redemption charge, and

WHEREAS, the City staff has made a detailed review of revenue and expenditures and has recommended that the $100.00 increase be waived for the 1979-80 fiscal year,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of subsection (a) of Section 5-6.04 of the Modesto Municipal Code that it hereby waives the $25.00 increase for the 1979-80 fiscal year

in the bond redemption charge for connecting residential dwelling units, mobile homes and mobile home spaces in mobile home parks to the sewage system.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that pursuant to the provisions of subsection (b) of Section 5-6.04 of the Modesto Municipal Code that it hereby waives the $100.00 increase for the 1979-80 fiscal year in the bond redemption charge for connecting commercial and industrial property per acre to the sewage system, including the commercial bond redemption charge applicable to churches.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-613

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 936 PARADISE ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District **for** sewer service to property outside City limits at 936 Paradise Road, located on the southeast corner of Paradise Road and Wade Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-614

A RESOLUTION AUTHORIZING THE PREAPPLICATION TO THE FEDERAL AVIATION ADMINISTRATION FOR GRANT FUNDS TO OVERLAY RUNWAY 28R/10L WITH A POROUS FRICTION COAT INCLUDING MARKING AND STRIPING AT THE MODESTO CITY-COUNTY AIRPORT

WHEREAS, the 1979/80 Airport Capital Improvement Program includes a project to overlay runway 28R/10L with a porous friction coat including marking and striping to provide a 2 inch overlay of porous asphaltic concrete which will provide positive braking action during wet weather conditions; and

WHEREAS, funding of this project comes from the Federal Aviation Administration's (FAA) Annual Discretionary Fund (80%) the City (10%) and the County (10%); and

WHEREAS, the latest engineers estimate indicates the project will cost $127,400 or a 6% increase over the $120,000 in the proposed budget.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the City Manager be authorized to submit a preapplication for Federal funding from the Federal Aviation Administration's Annual Discretionary Fund to overlay runway 28R/10L on behalf of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-615

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE DIVISION OF AERONAUTICS FOR GRANT AGREEMENT FOR CONSTRUCTION OF GENERAL AVIATION PARKING APRON EXPANSION AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State Division of Aeronautics **for** a grant agreement in the amount of $125,000 for construction of general aviation parking apron expansion at the Modesto City-County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-616

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN GRANT, INC., A CALIFORNIA CORPORATION, TO ACQUIRE .111± ACRES OF RIGHT OF WAY NEEDED FOR THE RIVERSIDE/YOSEMITE TRAFFIC SIGNAL PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen Grant, Inc., a California Corporation, to acquire .111± acres of right of way needed for the Riverside/Yosemite traffic signal project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-617

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SNYDER AVENUE NO. 2 ANNEXATION TO THE CITY OF MODESTO, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Snyder Avenue No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated May 23, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Snyder Avenue No. 2 Annexation to the City of Modesto is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

April 20, 1979

SNYDER AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-SNYDER ADDITION (360), as per description filed Spetember 20, 1977, as Instrument 18800, Stanislaus County Records, said point being on the North line of Section 12 and the center line of 40.00 foot Snyder Avenue;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (360), South 00° 04' 02" East, 1654.86 feet, to a point on the North line of the VENEMAN NO. 2 ADDITION (375), as per description filed June 27, 1978, as Instrument 82426, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Northern line of said ADDITION (375), South 89° 37' 06" West, 2122.99 feet, to the Southeastern corner of the SNYDER AVENUE ANNEXATION (384), as per description filed October 2, 1978, as Instrument 21313, Stanislaus County Records;

3. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 516.28 feet;

4. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 10° 38' 34" East, 152.43 feet;

5. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 18° 19' 54" East, 177.58 feet;

6. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 13° 54' 50" East, 98.71 feet;

7. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 08° 54' 28" East, 98.71 feet;

8. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 04° 05' 40" East, 98.72 feet;

9. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 530.01 feet, to the North line of Section 12';

10. thence leaving the existing City Limits and continuing along the North line of Section 12, North 89° 36' 33" East, 1990.85 feet, to the point of beginning, containing 78.028 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-617A

A RESOLUTION STATING THE INTENTION OF THE CITY OF MODESTO NOT TO SUCCEED TO CALIFORNIA LAND CONSERVATION ACT CONTRACT IN THE SNYDER AVENUE NO. 2 ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto on June 19, 1979 adopted City Council Resolution No. 79-617 annexing uninhabited territory known as the Snyder Avenue No. 2 Annexation to the City of Modesto, and

WHEREAS, a portion of a parcel of land included in said annexation known as the Van Konynenburg property is subject to a California Land Conservation Act Contract which was approved by the County of Stanislaus, being more fully described in Contract No. 74-1772, adopted on February 19, 1977 and recorded in Volume 2611, page 769 of the Official Records of Stanislaus County, and

WHEREAS, the City of Modesto by City Council Resolution No. 74-102, adopted on February 4, 1974, duly filed its protest to the said contract with the Local Agency Formation Commission, and

WHEREAS, the Local Agency Formation Commission upheld said protest by resolution entitled "In Re: California Land Conservation Act Contract No. 74-1772-Van Konynenburg" adopted on November 22, 1977,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto, pursuant to the provisions of Government Code section 51243, hereby states its intention not to succeed and does not succeed to the above described California Land Conservation Act Contract pertaining to said Snyder Avenue No. 2 Annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lane, Muratore, Siefkin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-618

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GATES, McDONALD COMPANY FOR ADMINISTRATION OF WORKERS' COMPENSATION CLAIMS UNDER THE CITY OF MODESTO'S SELF-INSURANCE PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Gates, McDonald Company **for** administration of workers' compensation claims under the City of Modesto's self-insurance program for the year 1979-80 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 619

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1978-79 TO ESTABLISH A CONTINGENCY RESERVE FOR LAND ACQUISITION AND OTHER CAPITAL NEEDS IN THE AMOUNT OF $500,000.00.

WHEREAS, the Council of the City of Modesto has authorized various land acquisitions in the final budget of the City of Modesto for the fiscal year 1978-79, and

WHEREAS, the cost of acquiring land is escalating faster than originally anticipated, and

WHEREAS, it is estimated that there will be increased land acquisition costs for the following projects:

Account	Project	Estimated increases in land costs
6243	McKinney Colony	$ 5,000
6392	N.W. McHenry	19,000
6408	Orchard	280,500
6409	Woodland	16,600
6415	Dry Creek	133,000
		$454,100

and

WHEREAS, revenue receipts have exceeded expectations because of an active economy, inflation, and the current high interest rates,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Final Budget of the City of Modesto for the fiscal year 1978-79 be amended to provide for a Contingency Reserve for Land Acquisition and Other Capital Needs in the amount of $500,000.00 in the Special Fund for Capital Outlays, (Fund No. 321) as follows:

REVENUES:

1. The amount of $2,636,116.00 now estimated in Revenue Account No. 941, Interfund Transfer In, of the Special Fund for Capital Outlay, Fund No. 321, be increased by $300,000.00 to $2,936,116.00.

APPROPRIATIONS:

1. The amount of $200,000.00 in the General Ledger Fund Balance Account, Account No. 600, of the Special Fund for Capital Outlay, Fund No. 321, be appropriated to Account No. 62-800-321, Contingency Reserve for Land Acquisition and Other Capital Needs.

2. The amount of $300,000.00 estimated as revenue in the Interfund Transfer In Account, Account No. 941, of the Special Fund for Capital Outlay, Fund No. 321, be appropriated in Account No. 62-800-321, Contingency Reserve for Land Acquisition and Other Capital Needs.

3. The amount of $546,120.00 now appropriated in the General Reserve, Account No. 60-800-101, of the General Fund, Fund No. 101, be descreased $300,000.00 to $246,120.

4. The amount of $541,446.00 now shown in the Interfund Transfer Out Account, Account No. 940-900-101, of the General Fund, Fund No. 101, be increased by $300,000.00 to $851,446.00.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-620

A RESOLUTION STATING THE INTENTION OF THE CITY OF MODESTO NOT TO SUCCEED TO CALIFORNIA LAND CONSERVATION ACT CONTRACT IN THE LINCOLN-PENNY NO. 2 ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto on May 22, 1979 adopted City Council Resolution No. 79-519 annexing uninhabited territory known as the Lincoln-Penny No. 2 Annexation to the City of Modesto, and

WHEREAS, a portion of a parcel of land included in said annexation known as the Arnold and Helen Dickens property is subject to a California Land Conservation Act Contract which was approved by the County of Stanislaus, being more fully described in Contract No. 77-2808, adopted on January 25, 1977 and recorded in Volume 2886, page 766, Instrument No. 47025, of the Official Records of Stanislaus County, and

WHEREAS, the City of Modesto by City Council Resolution No. 77-231, adopted on February 22, 1977, duly filed its protest to the said contract with the Local Agency Formation Commission, and

WHEREAS, the Local Agency Formation Commission upheld said protest by resolution, adopted on April 19, 1978, pertaining to California Land Conservation Act Contract No. 77-2808,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto, pursuant to the provisions of Government Code section 51243, hereby states its intention not to succeed and does not succeed to the above described California Land Conservation Act Contract pertaining to said Lincoln-Penny No. 2 Annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of June, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-621

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO CONSIDER A PROPOSED COOPERATION AGREEMENT WITH THE STANISLAUS COUNTY HOUSING AUTHORITY COVERING 400 UNITS OF LOW-INCOME HOUSING APPROVED AT THE NOVEMBER 7, 1978, ELECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 17, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a proposed cooperation agreement with the Stanislaus County Housing Authority covering 400 units of low-income housing approved at the November 7, 1978, election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th **day of** June **, 19** 79 **, by Councilmember** Kullijian **, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Elliott

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-622

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN LAMATIS INDUSTRIAL CENTER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of a waterline extension in Lamatis Industrial Center **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 17, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** June, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-623

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 10 BUS PASSENGER SHELTERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing 10 bus passenger shelters copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 10, 1979, at 2:00 p.m., and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-624

A RESOLUTION ACCEPTING THE BID OF ALL PURE CHEMICAL COMPANY FOR LIQUID CHLORINE

WHEREAS, Resolution No. 79-487 **, adopted by the Council of the City of Modesto on** May 22, 1979 **, approved the plans and specifications for the** annual requirements of liquid chlorine

and authorized the calling for bids, and

WHEREAS, the **bids received for the** liquid chlorine

were opened at 2:30 p.m. on June 12, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** All Pure Chemical Company for $174 per ton

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of All Pure Chemical Company for $174 per ton

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** June **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-625

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH ZELLERBACH PAPER COMPANY FOR THE PURCHASE OF PLASTIC CAN LINERS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of plastic can liners is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Zellerbach Paper Company for the purchase of plastic can liners for the purchase price of $5,955.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-626

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION, UNITED STATES OF AMERICA, FOR A GRANT UNDER THE URBAN MASS TRANSPORTATION ACT OF 1964, AS AMENDED.

WHEREAS, the Secretary of Transportation is authorized to make grants for mass transportation projects, and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision by it of the local share of project costs, and

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance under the Urban Mass Transportation Act of 1964, as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder, and

WHEREAS, it is the goal of the Applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definitive procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that:

1. That the City Manager of the City of Modesto is authorized to execute and file an application on behalf of the City of Modesto with the U.S. Department of Transportation, to aid in the financing of operating assistance projects in Fiscal Year 1979-80, pursuant to Section 5 of the Urban Mass Transportation Act of 1964, as amended.

2. That the City Manager of the City of Modesto is authorized to execute and file with such applications an assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

3. That Douglas F. Carmody, Director of Parking and Traffic, is authorized to furnish such additional information as the U.S. Department of Transportation may require in connection with the application or the project.

4. That the City Manager of the City of Modesto is authorized to set forth and execute affirmative minority business policies in connection with the project's procurement needs.

5. That the City Manager of the City of Modesto is authorized to execute grant contract agreements on behalf of the City of Modesto with the U.S. Department of Transportation for aid in the financing of the operating assistance projects.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember

Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-627

A RESOLUTION APPROVING AN INCREASED RATE FOR A PRIMARY COMMERCIAL AND RESIDENTIAL CABLE TELEVISION OUTLET CHARGED BY CABLECOM-GENERAL OF MODESTO AND REQUIRING CABLECOM-GENERAL OF MODESTO TO MAKE ARRANGEMENTS FOR PAY STATIONS.

WHEREAS, by Ordinance No. 1766-C.S. the City Council has granted to Cablecom-General of Modesto, hereinafter referred to as "Grantee", a nonexclusive franchise to construct, operate and maintain a CATV system within the City, and

WHEREAS, Section 4 of Ordinance No. 1766-C.S. sets forth a schedule of rates and charges for CATV service to be charged by Grantee to its subscribers and also provides that said schedule of rates and charges may be changed with the prior approval of the City Council expressed by resolution, and

WHEREAS, the Council desires to approve an increase in the rate charged by Grantee for a primary commercial and residential television outlet from $5.95 to $6.95 per month, and

WHEREAS, the Council further desires to require Grantee to make arrangements so that subscribers can pay their monthly service and other CATV charges at those locations where City of Modesto water and sewer service charges are payable,

WHEREAS, by Resolution No. 79-559 adopted on June 5, 1979, Tuesday, June 26, 1979, at 7:30 o'clock p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California was set as the time and place for a public hearing when all persons could appear before the City Council and be heard on said increased rate, and

WHEREAS, a public hearing was held at said time and place and evidence, both oral and documentary, was received and considered, and

WHEREAS, after considering said evidence, it was found and determined by the Council of the City of Modesto that the commercial and residential rate for a

primary television outlet should be increased to $6.95 per month, effective July 1, 1979.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following schedule of rates and charges, which Grantee may charge subscribers to its CATV system in the City of Modesto is hereby approved as changes in the schedule of rates and charges set forth in Section 4 of Ordinance No. 1766-C.S., effective July 1, 1979:

A. Installation Charges

(1) Commercial and Residential (Including individual service to multiple apartments and mobilehome spaces)

Primary television outlet, normal installation	$10.00
Additional television outlets	
(a) When installed at same time as Primary--each	No Charge
(b) When installed at different time--each	$5.00
FM radio outlets	
(a) When installed at same time as TV primary outlet--each	No Charge
(b) When installed at different time--each	$5.00

(2) Hotels, Motels, Mobilehome Parks and Multiple Apartments (3 or more units)

Primary television outlet, normal installation	Actual Cost of Installation
Additional television outlets--each	Actual Cost of Installation
FM radio outlets--each	Actual Cost of Installation

For special installations involving unusual construction problems, long aerial cable run (over 150 feet), underground cable, etc., actual additional cost of installation at subscriber's expense.

B. Monthly Service Charges

(1) Commercial and Residential (Including individual service to multiple apartments and mobilehome spaces)

Primary television outlet	$6.95
Additional television outlets--each	$1.00
FM radio outlet (with TV service)--each	$ .50
FM radio outlet (without TV service)	$5.25
Additional FM outlets--each	$ .50

(2) Hotels, Motels, Mobilehome Parks and Multiple Apartments (3 or more units)--per dwelling unit

Primary television outlet	$2.90
Additional television outlets--each	$1.00
FM radio outlet (with TV service)--each	$ .50
FM radio outlet (without TV service)	$2.20
Additional FM outlets--each	$ .50
TV dealer and licensed TV service shops, multiple outlets, regardless of number	No Charge

C. Other Charges

(1) Relocation of existing outlet	$5.00
(2) Connection of new customer to existing television service	$5.00
(3) Disconnection of service	No Charge

D. Converter charges (converter at option of subscribers)

(1) Subscribers to have choice of following:

(a) Deposit refundable after 24 months $17.50

(b) Rental per month $ .45

E. Subscribers shall receive a ten (10%) percent discount on service charges paid one year in advance.

F. In areas where Grantee's system has been installed, if service is not provided to a new subscriber for a single-family dwelling within fifteen (15) days after an application for service is received in Grantee's Modesto office, accompanied by the applicable installation charges, Grantee shall provide said subscriber with free service for a period of six (6) months.

G. In areas where Grantee's system has been installed, if service is not provided to a new subscriber for a multiple-family dwelling within forty-five(45) days or any extension thereof granted by the City Manager, after an application for service is received in Grantee's Modesto office accompanied by the applicable installation charges, Grantee shall provide said subscriber with free service for a period of six (6) months.

H. In areas where Grantee's system must be extended to serve a subscriber in its franchise area, the system shall be constructed, installed and made operable so that service shall be provided either within thirty (30) days after an application for service or within one hundred twenty (120) days after the area in which the subscriber is located becomes a part of Grantee's franchise area, whichever is the later date.

After an application for service is received in Grantee's Modesto office, accompanied by the applicable installation charges, if service is not provided to such a subscriber within such time periods, or any extension thereof granted by the City Manager pursuant to Section 3 above, Grantee shall provide said subscriber with free service for a period of six (6) months.

I. Subscribers may be assessed a delinquency charge of Two and no/100ths ($2.00) Dollars for any service charges overdue by ten (10) days or more after the end of the period for which a billing is made, provided a delinquent notice is mailed at the end of said period.

J. Grantee shall make arrangements so that subscribers can pay their monthly service and other CATV charges at those pay stations where City of Modesto water and sewer service charges are payable.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-628

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 20-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOE LA CONTE, BILL LA CONTE AND GEORGIA SANTRIZOS)

WHEREAS, on June 26, 19 79, the City Council introduced Ordinance No. 1843 - C. S. giving approval to a project relating to an amendment to Section 20-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 20-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Lang, Siefkin, Mayor Pro Tem Elliott

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore, Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-629

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (228).

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Richards, Tallent and Durosette - I on April 18, 19 79, to reclassify from Professional Office Zone, P-O, to Planned-Development Zone, P-D, the following described property:

PARCEL ONE:

COMMENCING at the Northwest corner of Lot 20 of BROUGHTON COLONY, said point being South 0° 30' East 0.31 feet from a 5x5x18 concrete monument set for the quarter corner common to Sections 21 and 22 in Township 3 South, Range 9 East; thence South 0° 30' East along the section line a distance of 174.00 feet to the true point of beginning; thence continuing along said section line South 0° 30' East a distance of 174.00 feet; thence leaving said Section line and running North 89° 53' 30" East, a distance of 357.00 feet; thence North 0° 30' West, a distance of 174.00 feet; thence South 89° 53' 30" West, a distance of 357.00 feet to the true point of beginning of this description.

PARCEL TWO:

ALL that portion of Lot 20 of the BROUGHTON COLONY, as per Map filed March 17, 1904, in Book 1 of Maps, Page 78, Stanislaus County Records described as follows:

COMMENCING at the Northwest corner of said Lot 20, said point being South 0° 30' East 0.31 feet from a 5x5x18 concrete monument set for the quarter corner common to Sections 21 and 22, Township 3 South, Range 9 East; thence South 0° 30' East along the section line a distance of 348.00 feet to the Southwest corner of the property described in the Deed to Tilda F. Stutz, a widow, recorded November 26, 1951, in Book 1058 at Page 133 of Official Records, as Series No. 27286 and the true point of beginning of this description; thence North 89° 53' 30" East 357.00 feet to the Southeast corner of said Tilda F. Stutz property and a point on the West line of the property described in the Deed to the City of Modesto, a municipal Corporation, recorded November 30, 1961, in Book 1725 at Page 86 of Official Records, as Series No. 39819; thence South 0° 30' East along the West line of said City of Modesto property, a distance of 145.31 feet, more or less, to a point on the North line of the South 5 acres of said Lot 20; thence South 89° 56' West along the North line of the South 5 acres of said Lot 20, a distance of 357.00 feet to a point on the West line of said Lot 20; thence North 0° 30' West along said West line 145.31 feet to the true point of beginning.

WHEREAS, after public hearing held on May 21, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The planned development zone will allow sale of individual buildings in a project which has been approved by the Board of Zoning Adjustment and is already under construction.

2. The conditions of approval along with the application of the Modesto Building Code for condominium conversion will assure that the development will be constructed and maintained to the best interests of the general public as well as the individual property owners.

WHEREAS, after a public hearing held on June 26, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Richards, Tallent and Duorosette - I for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1844-C.S. on the 26th day of June, 1979, reclassifying the above-described property from Professional Office Zone, P-O to Planned-Development Zone, P-D (228).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN, The development plan for Planned-Development Zone, P-D (228), is hereby approved in accordance with the plan titled "Site Plan - Park Place Professional Center", as amended in red on its face, stamped approved by the Planning Commission on May 21, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above-mentioned plan, a copy of which is on file in the office of the Director of Planning and Community Development.

2. That prior to filing a final subdivision map, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the east and south property lines.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Coffee Road to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall dedicate sufficient right-of-way to complete Coffee Road to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That prior to, or concurrently with, filing a final subdivision map, the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

8. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

11. That all signs shall comply with the sign requirements of the P-0 Zone.

12. That prior to sale of less than the entire project, a subdivision map shall be recorded.

13. That prior to filing a final subdivision map, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Property Owners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

14. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

15. That the applicant shall install 2 fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

16. That the applicant shall record a "Notice of Conditions" form.

17. That prior to the issuance of certificate of occupancy, the developer shall obtain certification from the Chief Building Official that all construction conforms to all applicable building and fire code provisions administered by the Chief Building Official.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (228):

That the entire construction program be accomplished in one phase, construction having begun, and completion to be not later than August 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (228) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William P. Machado
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-630

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RICHARDS, TALLENT AND DUROSETTE - I)

WHEREAS, on June 26, 1979, the City Council introduced Ordinance No. 1844 C. S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(228), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Professional Office Zone, P-O, to Planned Development Zone, P-D(228).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-631

A RESOLUTION GRANTING AN UNCLASSIFIED USE PERMIT AMENDMENT TO NEIGHBORHOOD CHURCH OF MODESTO FOR CONSTRUCTION OF A SECOND-STORY OFFICE ADDITION ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TULLY ROAD AND WOODROW AVENUE IN THE CITY OF MODESTO.

WHEREAS, by Resolution No. 68-774 adopted by the Modesto City Council on August 12, 1968, an unclassified use permit was granted to Modesto Neighborhood Church for expansion of existing parochial school facilities and use at the southeast corner of Tully Road and Woodrow Avenue in the City of Modesto, and

WHEREAS, a verified application for an amendment to said unclassified use permit to allow construction of a second-story office addition to serve the Modesto Christian School complex on said property was filed by Neighborhood Church of Modesto on April 18, 1979, and

WHEREAS, Article 14 and Article 21 of Title X of the Modesto Municipal Code establishes the requirements and procedure for obtaining an unclassified use permit and amendments thereto for educational institutions, and

WHEREAS, said application for an amendment to the unclassified use permit referred to above was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street, in the City of Modesto, on May 21, 1979, and

WHEREAS, thereafter, upon evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 79-136 recommending to the Council that an amendment to the unclassified use permit referred to herein be granted to Neighborhood Church of Modesto to permit construction of a

second-story addition on property located at the southeast corner of Tully Road and Woodrow Avenue, for the following reasons:

1. The addition of 3,450 square feet of offices to the existing facilities is in the nature of a relatively minor modification.
2. The proposed office addition is compatible with the existing and potential land uses in the vicinity which are predominantly low density residential uses,

and

WHEREAS, the Planning Commission recommended that said amendment to the unclassified use permit be subject to the provision that all conditions of Modesto City Council Resolution No. 68-774 not in conflict with the amendment to said unclassified use permit shall remain in full force and effect, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 11th Street, Modesto, California, at 7:30 o'clock p.m. on June 26, 1979, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject amendment to the unclassified use permit granted to Neighborhood Church of Modesto by City Council Resolution No. 68-774, and

WHEREAS, said hearing was held before the Council on June 26, 1979, at the above time and place, and evidence, both oral and documentary was taken and introduced at said hearing, and the Council found and determined that the granting of an amendment to the unclassified use permit granted to Neighborhood Church of Modesto

by Modesto City Council Resolution No. 68-774, to permit the construction of a second-story office addition on the property located at the southeast corner of Tully Road and Woodrow Avenue is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-136, and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an amendment to the unclassified use permit granted to Neighborhood Church of Modesto by Modesto City Council Resolution No. 68-774 for expansion of existing parochial school facilities and use at the southeast corner of Tully Road and Woodrow Avenue in the City of Modesto, to permit construction of a second-story office addition on said property be granted, subject to the provision that all conditions of Modesto City Council Resolution No. 68-774 not in conflict with this unclassified use permit amendment shall remain in full force and effect.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-632

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (229).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Rule Enterprises on April 18, 1979, to reclassify from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D, the following described property:

All that portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the point of intersection of the centerline of Coffee Road and with the Easterly extension of the South line of the east-west 15-foot alley in Block 1047 in the Wilkinson Tract, according to the map thereof filed in Volume 17 of Maps at Page 64 in the Stanislaus County Recorder's; thence Westerly along said extension and the South line of said 15-foot alley 659.4 feet to the West line of north-south 20-foot alley also in Block 1047; thence Southerly along the extension of the West line of said north-south 20-foot alley 159.8 feet to the point of intersection with north-west corner of P-D(10) as described by Ordinance No. 543-C.S. effective December 25, 1962; thence Easterly along a line that is parallel with the aforementioned South line of the 15-foot east-west alley in Block 1047 also being the North line of said P-D(10) and the Easterly extension thereof 659.4 feet to the point of intersection with the centerline of Coffee Road; thence Northerly along said centerline 159.8 feet to the point of beginning.

WHEREAS, after public hearing held on May 21, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property is immediately north of existing offices and across the street from Downey High School.

2. The P-D plan and conditions of approval assure a degree of compatibility consonant with the residential areas to the north and west.

WHEREAS, after a public hearing held on June 26, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rule Enterprises for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1845-C.S. on the 26th day of June, 1979, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (229).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (229), is hereby approved in accordance with the plan titled "Coffee Road Professional Park", as amended in red on its face, stamped approved by the Planning Commission on May 21, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan, a copy of which is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the west property line.

3. That prior to occupancy of the premises, a six foot high solid decorative masonry wall shall be constructed along the west and north boundaries of the property adjacent to residential zoning.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

6. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

7. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

8. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

9. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

10. That all signs shall comply with the sign requirements of the P-O Zone.

11. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

12. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operative prior to construction of any structures.

13. That the applicant shall record a "Notice of Conditions" form.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (229):

> The entire construction program shall be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (229) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William D. Marks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-633

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE ENTERPRISES)

WHEREAS, on June 26, 19 79, the City Council introduced Ordinance No. 1845 -C. S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(229), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(229).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-634

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (227).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by James Corn on April 18, 19 79, to reclassify from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D, the following described property:

All that portion of the West one-half of the Northwest quarter of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Southeast corner of the West half of the Northwest quarter of the Northeast quarter of Section 21, above Township and Range; thence North 89° 41' 30" West along the South line of the Northwest quarter of the Northeast quarter of said Section 21, a distance of 270 feet, more or less, to a Southeasterly corner of the property conveyed to Modesto City School District and Stanislaus County, State of California, a public corporation, by Deed dated January 3, 1948, and recorded January 16, 1948, in Book 922 of Official Records, at Page 114, as Series No. 1120; thence along an Easterly and Southerly line of said Modesto City School District property the following two courses and distances; North 0° 40' 30" West 350 feet and South 89° 41' 30" East, 270 feet, to the East line of the West half of the Northwest quarter of the Northeast quarter of said Section 21; thence South 0° 40' 30" East along said East line 350 feet to the point of beginning.

EXCEPTING THEREFROM the East 135 feet thereof.

WHEREAS, after public hearing held on May 21, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone will contain the same number of dwelling units as can be accommodated under the current zoning. The proposed P-D Zone will not intensify the land use or change the residential density potential.
2. The proposed P-D Zone will allow ownership of individual units rather than rental occupancy only.
3. The development plan as approved provides a 3 to 1 parking ratio, and a generous private yard area for each unit.

WHEREAS, after a public hearing held on June 26, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of James Corn for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1846 -C.S. on the 26th day of June, 19 79, reclassifying the above-described property from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D (227).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (227), is hereby approved in accordance with the plan titled "Sutter Townhouses, Modesto, California", as amended in red on its face, stamped approved by the Planning Commission on May 21, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the easterly property line.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the easterly property line.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall dedicate sufficient right-of-way to complete Orangeburg Avenue to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall improve Orangeburg Avenue to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

8. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

11. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

12. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

13. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

14. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

15. That the applicant shall install one fire hydrant and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrant shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (227):

The entire construction program be accomplished in one phase, construction to begin on or before August 1, 1981, and completion to be not later than August 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (227) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-635

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JAMES CORN)

WHEREAS, on June 26, 19 79, the City Council introduced Ordinance No. 1846 -C.S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (227), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(227).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-636

A RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MODESTO AND MODESTO CITY EMPLOYEES' ASSOCIATION AND AUTHORIZING STAFF TO IMPLEMENT THE PROVISIONS THEREOF

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the memorandum of understanding between the City of Modesto and Modesto City Employees' Association for salary and fringe benefits covering the two fiscal years of 1979-80 and 1980-81, commencing July 1, 1979, and ending June 30, 1981, be and it is hereby approved.

BE IT FURTHER RESOLVED that the implementation of said memorandum of understanding by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Bright , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 637

A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. SALARY RANGES AND RATES. The salary rates, salary ranges and salary steps as set forth in Exhibit "A" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule A Miscellaneous Employees", Exhibit "B" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule B Firefighters", Exhibit "C" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule C Police Personnel", Exhibit "D" entitled "City of Modesto Schedule of Salary Ranges in City Service - Schedule D Classified Management and Confidential Employees", and Exhibit "E" entitled "City of Modesto Schedule of Salary Ranges in City Service - Unclassified Management and Council Appointees", which are attached hereto and hereby made a part hereof, are hereby established.

SECTION 2. SALARIES FOR CLASSES OF POSITIONS. The salary ranges and rates for the classes of positions established by the Position Classification Plan, as set forth in Exhibit "F", entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1979-80", which is attached hereto and hereby made a part hereof, are hereby established.

SECTION 3. USE OF CLASSES. The designated classes of positions may be used in any organizational unit of the City deemed proper by the City Manager.

SECTION 4. POSITIONS. The City Council authorizes and directs the City Manager, within the limits of funds budgeted therefor, to appoint employees in such number and in such classes in each department as may be necessary properly to operate the department under the Charter, ordinances and resolutions adopted by the City Council.

SECTION 5. APPOINTMENTS AND SALARIES. The City Manager is hereby authorized to appoint, in accordance with the applicable provisions of the Modesto Municipal Code and Personnel Rules and within the limits of funds budgeted therefor, any person to a position in a class for which he is the appointing authority and for which the salary is hereby provided, to designate the definite salary rate or salary step at which such person is appointed, and the salary so designated is hereby fixed as the salary of such employee for the position.

SECTION 6. SPECIAL SALARY RATES. The City Manager is further authorized, subject to budgetary appropriation control by the City Council, to fix the salary range or rate for part-time or special positions in the Unclassified Service for which he is the appointing authority and which are not designated herein.

SECTION 7. DIFFERENTIAL PAY - MISCELLANEOUS. An employee who is assigned to one of the positions enumerated below shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated, additional compensation at the rate of five (5%) percent of the compensation which the employee would otherwise be entitled to receive. Such additional compensation shall not be paid to any person employed on a temporary or part-time (hourly or per diem pay) basis.

1. Motor Sweeper Operator - who is regularly assigned as a night sweeper operator.

2. Parks Maintenance Worker I - who is regularly assigned to water street trees at night.

3. Laborer - who is regularly assigned as a night hand sweeper.

SECTION 8. DIFFERENTIAL PAY - FIRE PREVENTION BUREAU. A sworn safety member of the Fire Department assigned to the Fire Department's Fire Prevention Bureau shall be paid, in addition to the salary fixed and established for the class title and pay range to which the employee's position has been allocated,

the following additional compensation based on time spent in the Fire Prevention Bureau and determined as a percent of the compensation which the employee would otherwise be entitled to receive:

Time Spent in Fire Prevention Bureau	Additional Pay to be Received
0-12 months	0%
13-24 months	2 1/2%
25 months and thereafter	5%

SECTION 9. DIFFERENTIAL PAY - FIRE BATTALION CHIEF. A Fire Battalion Chief assigned by the Fire Chief as either Operations Commander or Fire Marshal may be paid, upon recommendation of the Fire Chief and approval of the City Manager, in addition to the salary fixed and established for the classification of Fire Battalion Chief, additional compensation of up to ten (10%) percent of the compensation which the employee would otherwise be entitled to receive.

SECTION 10. ACTING PAY - POLICE DEPARTMENT. A Police Officer or a Detective who is temporarily assigned to act as a Sergeant for five (5) or more regularly scheduled, consecutive work days will be paid five (5%) percent acting pay above the officer's normal base pay retroactive to the first day. Holidays and regularly scheduled days off will not interrupt the calculation of consecutive work days.

SECTION 11. DIFFERENTIAL PAY - FIELD TRAINING OFFICERS. A Police Officer who is assigned by the Chief of Police as a Field Training Officer shall be paid, in addition to the salary fixed and established for the classification of Police Officer, additional compensation of five (5%) percent of the compensation which the employee would otherwise be entitled to receive. Such additional compensation shall be in lieu of recording and receiving compensation for overtime for work performed as a Field Training Officer beyond the end of the normal working hours in a work day.

SECTION 12. ACTING PAY - MISCELLANEOUS EMPLOYEES. An employee represented by the Modesto City Employees' Association who is temporarily assigned by a Personnel Action form to fill another position for more than 120 consecutive

regularly scheduled work hours will be paid five (5%) percent additional compensation above the employee's normal base pay retroactive to the first hour of such assignment. Holidays and regularly scheduled hours and days off will not interrupt the calculation of consecutive work hours.

SECTION 13. PART-TIME EMPLOYMENT. Employees appointed to any of the positions referred to herein who, with the approval of the City Manager, regularly work less hours per week than established for their class by Rule 13.1 of the Personnel Rules, shall be paid in approximate proportion of the time worked.

SECTION 14. EFFECTIVE DATE. The schedule of salary rates and ranges, and the compensation fixed for classes of positions by this resolution shall be effective on and after July 3, 1979.

SECTION 15. REPEALS. Resolutions No. 79-165, 79-166 and 79-197 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

SCHEDULE 1
MISCELLANEOUS
EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79
BI-WEEKLY

RANGE	HOURLY A	B	C	D	E	MONTHLY A	B	C	D	E
110.0	3.9506	4.1061	4.3114	4.5270	4.7534	312.85	328.49	344.91	362.16	380.27	680.17	714.17	749.87	787.37	826.75
110.5	4.0083	4.2087	4.4191	4.6401	4.8721	320.66	336.70	353.53	371.21	389.77	697.15	732.02	768.61	807.05	847.40
111.0	4.1061	4.3114	4.5270	4.7534	4.9911	328.49	344.91	362.16	380.27	399.29	714.17	749.87	787.37	826.75	868.10
111.5	4.2087	4.4191	4.6401	4.8721	5.1157	336.70	353.53	371.21	389.77	409.26	732.02	768.61	807.05	847.40	889.77
112.0	4.3114	4.5270	4.7534	4.9911	5.2407	344.91	362.16	380.27	399.29	419.26	749.87	787.37	826.75	868.10	911.51
112.5	4.4191	4.6401	4.8721	5.1157	5.3715	353.53	371.21	389.77	409.26	429.72	768.61	807.05	847.40	889.77	934.25
113.0	4.5270	4.7534	4.9911	5.2407	5.5027	362.16	380.27	399.29	419.26	440.22	787.37	826.75	868.10	911.51	957.08
113.5	4.6401	4.8721	5.1157	5.3715	5.6401	371.21	389.77	409.26	429.72	451.21	807.05	847.40	889.77	934.25	980.98
114.0	4.7534	4.9911	5.2407	5.5027	5.7778	380.27	399.29	419.26	440.22	462.22	826.75	868.10	911.51	957.08	1004.91
114.5	4.8721	5.1157	5.3715	5.6401	5.9221	389.77	409.26	429.72	451.21	473.77	847.40	889.77	934.25	980.98	1030.02
115.0	4.9911	5.2407	5.5027	5.7778	6.0667	399.29	419.26	440.22	462.22	485.34	868.10	911.51	957.08	1004.91	1055.18
115.5	5.1157	5.3715	5.6401	5.9221	6.2182	409.26	429.72	451.21	473.77	497.46	889.77	934.25	980.98	1030.02	1081.53
116.0	5.2407	5.5027	5.7778	6.0667	6.3700	419.26	440.22	462.22	485.34	509.60	911.51	957.08	1004.91	1055.18	1107.92
116.5	5.3715	5.6401	5.9221	6.2182	6.5291	429.72	451.21	473.77	497.46	522.33	934.25	980.98	1030.02	1081.53	1135.60
117.0	5.5027	5.7778	6.0667	6.3700	6.6885	440.22	462.22	485.34	509.60	535.08	957.08	1004.91	1055.18	1107.92	1163.32
117.5	5.6401	5.9221	6.2182	6.5291	6.8556	451.21	473.77	497.46	522.33	548.45	980.98	1030.02	1081.53	1135.60	1192.39
118.0	5.7778	6.0667	6.3700	6.6885	7.0229	462.22	485.34	509.60	535.08	561.83	1004.91	1055.18	1107.92	1163.32	1221.47
118.5	5.9221	6.2182	6.5291	6.8556	7.1984	473.77	497.46	522.33	548.45	575.87	1030.02	1081.53	1135.60	1192.39	1252.00
119.0	6.0667	6.3700	6.6885	7.0229	7.3740	485.34	509.60	535.08	561.83	589.92	1055.18	1107.92	1163.32	1221.47	1282.55
119.5	6.2182	6.5291	6.8556	7.1984	7.5583	497.46	522.33	548.45	575.87	604.66	1081.53	1135.60	1192.39	1252.00	1314.59
120.0	6.3700	6.6885	7.0229	7.3740	7.7427	509.60	535.08	561.83	589.92	619.42	1107.92	1163.32	1221.47	1282.55	1346.68
120.5	6.5291	6.8556	7.1984	7.5583	7.9362	522.33	548.45	575.87	604.66	634.90	1135.60	1192.39	1252.00	1314.59	1380.34
121.0	6.6885	7.0229	7.3740	7.7427	8.1298	535.08	561.83	589.92	619.42	650.38	1163.32	1221.47	1282.55	1346.68	1413.99
121.5	6.8556	7.1984	7.5583	7.9362	8.3330	548.45	575.87	604.66	634.90	666.64	1192.39	1252.00	1314.59	1380.34	1449.34
122.0	7.0229	7.3740	7.7427	8.1298	8.5363	561.83	589.92	619.42	650.38	682.90	1221.47	1282.55	1346.68	1413.99	1484.69
122.5	7.1984	7.5583	7.9362	8.3330	8.7497	575.87	604.66	634.90	666.64	699.98	1252.00	1314.59	1380.34	1449.34	1521.83
123.0	7.3740	7.7427	8.1298	8.5363	8.9631	589.92	619.42	650.38	682.90	717.05	1282.55	1346.68	1413.99	1484.69	1558.94
123.5	7.5583	7.9362	8.3330	8.7497	9.1872	604.66	634.90	666.64	699.98	734.98	1314.59	1380.34	1449.34	1521.83	1597.92
124.0	7.7427	8.1298	8.5363	8.9631	9.4113	619.42	650.38	682.90	717.05	752.90	1346.68	1413.99	1484.69	1558.94	1636.88
124.5	7.9362	8.3330	8.7497	9.1872	9.6466	634.90	666.64	699.98	734.98	771.73	1380.34	1449.34	1521.83	1597.92	1677.82
125.0	8.1298	8.5363	8.9631	9.4113	9.8819	650.38	682.90	717.05	752.90	790.55	1413.99	1484.69	1558.94	1636.88	1718.73
125.5	8.3330	8.7497	9.1872	9.6466	10.1289	666.64	699.98	734.98	771.73	810.31	1449.34	1521.83	1597.92	1677.82	1761.69
126.0	8.5363	8.9631	9.4113	9.8819	10.3760	682.90	717.05	752.90	790.55	830.08	1484.69	1558.94	1636.88	1718.73	1804.68
126.5	8.7497	9.1872	9.6466	10.1289	10.6353	699.98	734.98	771.73	810.31	850.82	1521.83	1597.92	1677.82	1761.65	1849.77
127.0	8.9631	9.4113	9.8819	10.3760	10.8948	717.05	752.90	790.55	830.08	871.58	1558.94	1636.88	1718.73	1804.68	1894.90
127.5	9.1872	9.6466	10.1289	10.6353	11.1671	734.98	771.73	810.31	850.82	893.37	1597.92	1677.82	1761.69	1849.77	1942.28
128.0	9.4113	9.8819	10.3760	10.8948	11.4395	752.90	790.55	830.08	871.58	915.16	1636.88	1718.73	1804.68	1894.90	1989.65

Exhibit "A"

SCHEDULE 1
MISCELLANEOUS
EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
128.5	9.6466	10.1289	10.6353	11.1671	11.7255	771.73	810.31	850.82	893.37	938.04	1677.82	1761.69	1849.77	1942.28	2039.39
129.0	9.8819	10.3760	10.8949	11.4395	12.0115	790.55	830.08	871.59	915.16	960.92	1718.73	1804.68	1894.90	1989.65	2089.14
129.5	10.1289	10.6353	11.1671	11.7255	12.3118	810.31	850.82	893.37	938.04	984.94	1761.69	1849.77	1942.28	2039.39	2141.36
130.0	10.3760	10.8948	11.4395	12.0115	12.6121	830.08	871.58	915.16	960.92	1008.97	1804.68	1894.90	1989.65	2089.14	2193.60
130.5	10.6353	11.1671	11.7255	12.3118	12.9274	850.82	893.37	938.04	984.94	1034.19	1849.77	1942.28	2039.39	2141.36	2248.43

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B
FIREFIGHTERS

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

HOURLY

RANGE	A	B	C	D	E
210.0	5.5632	5.8414	6.1335	6.4402	6.7622
210.5	5.7024	5.9875	6.2869	6.6012	6.9313
211.0	5.8414	6.1335	6.4402	6.7622	7.1003
211.5	5.9875	6.2869	6.6012	6.9313	7.2779
212.0	6.1335	6.4402	6.7622	7.1003	7.4553
212.5	6.2869	6.6012	6.9313	7.2779	7.6418
213.0	6.4402	6.7622	7.1003	7.4553	7.8281
213.5	6.6012	6.9313	7.2779	7.6418	8.0239
214.0	6.7622	7.1003	7.4553	7.8281	8.2195
214.5	6.9313	7.2779	7.6418	8.0239	8.4251

BI-WEEKLY

A	B	C	D	E
623.08	654.24	686.95	721.30	757.37
638.67	670.60	704.13	739.33	776.31
654.24	686.95	721.30	757.37	795.23
670.60	704.13	739.33	776.31	815.12
686.95	721.30	757.37	795.23	834.99
704.13	739.33	776.31	815.12	855.88
721.30	757.37	795.23	834.99	876.75
739.33	776.31	815.12	855.88	898.68
757.37	795.23	834.99	876.75	920.58
776.31	815.12	855.88	898.68	943.61

MONTHLY

A	B	C	D	E
1354.64	1422.38	1493.50	1568.18	1646.60
1388.53	1457.95	1530.85	1607.38	1687.78
1422.38	1493.50	1568.18	1646.60	1728.91
1457.95	1530.85	1607.38	1687.78	1772.15
1493.50	1568.18	1646.60	1728.91	1815.35
1530.85	1607.38	1687.78	1772.15	1860.77
1568.18	1646.60	1728.91	1815.35	1906.14
1607.38	1687.78	1772.15	1860.77	1953.82
1646.60	1728.91	1815.35	1906.14	2001.43
1687.78	1772.15	1860.77	1953.82	2051.50

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "B"

CITY OF MODESTO

SCHEDULE OF SALARY RANGES IN CITY SERVICE

EFFECTIVE 7/03/79

SCHEDULE C
POLICE PERSONNEL

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
310.0	8.0033	8.4035	8.8237	9.2649	9.7281	640.26	672.28	705.90	741.19	778.25	1391.99	1461.60	1534.70	1611.42	1691.99
311.0	8.4035	8.8237	9.2649	9.7281	10.2145	672.28	705.90	741.19	778.25	817.16	1461.60	1534.70	1611.42	1691.99	1776.59
312.0	8.8237	9.2649	9.7281	10.2145	10.7252	705.90	741.19	778.25	817.16	858.02	1534.70	1611.42	1691.99	1776.59	1865.42
313.0	9.2649	9.7281	10.2145	10.7252	11.2615	741.19	778.25	817.16	858.02	900.92	1611.42	1691.99	1776.59	1865.42	1958.69

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Exhibit "C"

CITY OF MODESTO

SCHEDULE OF SALARY RANGES IN CITY SERVICE

EFFECTIVE 7/03/79

SCHEDULE D
CLASSIFIED MANAGEMENT
AND CONF. EMPLOYEES

BI-WEEKLY

	HOURLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E
410.0	3.9106	4.1061	4.3114	4.5270	4.7534	312.85	328.49	344.91	362.16	380.27	680.17	714.17	749.87	787.37	826.75
410.5	4.0083	4.2087	4.4191	4.6401	4.8721	320.66	336.70	353.53	371.21	389.77	697.15	732.02	768.61	807.05	847.40
411.0	4.1061	4.3114	4.5270	4.7534	4.9911	328.49	344.91	362.16	380.27	399.29	714.17	749.87	787.37	826.75	868.10
411.5	4.2087	4.4191	4.6401	4.8721	5.1157	336.70	353.53	371.21	389.77	409.26	732.02	768.61	807.05	847.40	889.77
412.0	4.3114	4.5270	4.7534	4.9911	5.2407	344.91	362.16	380.27	399.29	419.26	749.87	787.37	826.75	868.10	911.51
412.5	4.4191	4.6401	4.8721	5.1157	5.3715	353.53	371.21	389.77	409.26	429.72	768.61	807.05	847.40	889.77	934.25
413.0	4.5270	4.7534	4.9911	5.2407	5.5027	362.16	380.27	399.29	419.26	440.22	787.37	826.75	868.10	911.51	957.08
413.5	4.6401	4.8721	5.1157	5.3715	5.6401	371.21	389.77	409.26	429.72	451.21	807.05	847.40	889.77	934.25	980.98
414.0	4.7534	4.9911	5.2407	5.5027	5.7778	380.27	399.29	419.26	440.22	462.22	826.75	868.10	911.51	957.08	1004.91
414.5	4.8721	5.1157	5.3715	5.6401	5.9221	389.77	409.26	429.72	451.21	473.77	847.40	889.77	934.25	980.98	1030.02
415.0	4.9911	5.2407	5.5027	5.7778	6.0667	399.29	419.26	440.22	462.22	485.34	868.10	911.51	957.08	1004.91	1055.18
415.5	5.1157	5.3715	5.6401	5.9221	6.2182	409.26	429.72	451.21	473.77	497.46	889.77	934.25	980.98	1030.02	1081.53
416.0	5.2407	5.5027	5.7778	6.0667	6.3700	419.26	440.22	462.22	485.34	509.60	911.51	957.08	1004.91	1055.18	1107.92
416.5	5.3715	5.6401	5.9221	6.2182	6.5291	429.72	451.21	473.77	497.46	522.33	934.25	980.98	1030.02	1081.53	1135.60
417.0	5.5027	5.7778	6.0667	6.3700	6.6885	440.22	462.22	485.34	509.60	535.08	957.08	1004.91	1055.18	1107.92	1163.32
417.5	5.6401	5.9221	6.2182	6.5291	6.8556	451.21	473.77	497.46	522.33	548.45	980.98	1030.02	1081.53	1135.60	1192.39
418.0	5.7778	6.0667	6.3700	6.6885	7.0229	462.22	485.34	509.60	535.08	561.83	1004.91	1055.18	1107.92	1163.32	1221.47
418.5	5.9221	6.2182	6.5291	6.8556	7.1984	473.77	497.46	522.33	548.45	575.87	1030.02	1081.53	1135.60	1192.39	1252.00
419.0	6.0667	6.3700	6.6885	7.0229	7.3740	485.34	509.60	535.08	561.83	589.92	1055.18	1107.92	1163.32	1221.47	1282.55
419.5	6.2182	6.5291	6.8556	7.1984	7.5583	497.46	522.33	548.45	575.87	604.66	1081.53	1135.60	1192.39	1252.00	1314.59
420.0	6.3700	6.6885	7.0229	7.3740	7.7427	509.60	535.08	561.83	589.92	619.42	1107.92	1163.32	1221.47	1282.55	1346.68
420.5	6.5291	6.8556	7.1984	7.5583	7.9362	522.33	548.45	575.87	604.66	634.90	1135.60	1192.39	1252.00	1314.59	1380.34
421.0	6.6885	7.0229	7.3740	7.7427	8.1298	535.08	561.83	589.92	619.42	650.38	1163.32	1221.47	1282.55	1346.68	1413.99
421.5	6.8556	7.1984	7.5583	7.9362	8.3330	548.45	575.87	604.66	634.90	666.64	1192.39	1252.00	1314.59	1380.34	1449.34
422.0	7.0229	7.3740	7.7427	8.1298	8.5363	561.83	589.92	619.42	650.38	682.90	1221.47	1282.55	1346.68	1413.99	1484.69
422.5	7.1984	7.5583	7.9362	8.3330	8.7497	575.87	604.66	634.90	666.64	699.98	1252.00	1314.59	1380.34	1449.34	1521.83
423.0	7.3740	7.7427	8.1298	8.5363	8.9631	589.92	619.42	650.38	682.90	717.05	1282.55	1346.68	1413.99	1484.69	1558.94
423.5	7.5583	7.9362	8.3330	8.7497	9.1872	604.66	634.90	666.64	699.98	734.98	1314.59	1380.34	1449.34	1521.83	1597.92
424.0	7.7427	8.1298	8.5363	8.9631	9.4113	619.42	650.38	682.90	717.05	752.90	1346.68	1413.99	1484.69	1558.94	1636.88
424.5	7.9362	8.3330	8.7497	9.1872	9.6466	634.90	666.64	699.98	734.98	771.73	1380.34	1449.34	1521.83	1597.92	1677.82
425.0	8.1298	8.5363	8.9631	9.4113	9.8819	650.38	682.90	717.05	752.90	790.55	1413.99	1484.69	1558.94	1636.88	1718.73
425.5	8.3330	8.7497	9.1872	9.6466	10.1289	666.64	699.98	734.98	771.73	810.31	1449.34	1521.83	1597.92	1677.82	1761.69
426.0	8.5363	8.9631	9.4113	9.8819	10.3760	682.90	717.05	752.90	790.55	830.08	1484.69	1558.94	1636.88	1718.73	1804.68
426.5	8.7497	9.1872	9.6466	10.1289	10.6353	699.98	734.98	771.73	810.31	850.82	1521.83	1597.92	1677.82	1761.69	1849.77
427.0	8.9631	9.4113	9.8819	10.3760	10.8948	717.05	752.90	790.55	830.08	871.58	1558.94	1636.88	1718.73	1804.68	1894.90
427.5	9.1872	9.6466	10.1289	10.6353	11.1671	734.98	771.73	810.31	850.82	893.37	1597.92	1677.82	1761.69	1849.77	1942.28
428.0	9.4113	9.8819	10.3760	10.8948	11.4395	752.90	790.55	830.08	871.58	915.16	1636.88	1718.73	1804.68	1894.90	1989.65

Exhibit "D"

SCHEDULE D
CLASSIFIED MANAGEMENT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79
bi-WEEKLY

	HOURLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E
428.5	9.0466	10.1289	10.6353	11.1671	11.7255	771.73	810.31	850.82	893.37	938.04	1677.82	1761.69	1849.77	1942.28	2039.39
429.0	9.0819	10.3760	10.8948	11.4395	12.0115	790.55	830.08	871.58	915.16	960.92	1718.73	1804.60	1894.90	1989.65	2089.14
429.5	10.1269	10.6353	11.1671	11.7255	12.3118	810.31	850.82	893.37	938.04	984.94	1761.69	1849.77	1942.28	2039.39	2141.36
430.0	10.3760	10.8949	11.4395	12.0115	12.6121	830.08	871.58	915.16	960.92	1008.97	1804.68	1894.90	1989.65	2089.14	2193.60
430.5	10.6353	11.1671	11.7255	12.3118	12.9274	850.82	893.37	938.04	984.94	1034.19	1849.77	1942.28	2039.39	2141.36	2248.43
431.0	10.8949	11.4395	12.0115	12.6121	13.2427	871.58	915.16	960.92	1008.97	1059.42	1894.90	1989.65	2089.14	2193.60	2303.29
431.5	11.1671	11.7255	12.3118	12.9274	13.5738	893.37	938.04	984.94	1034.19	1085.90	1942.28	2039.39	2141.36	2248.43	2360.86
432.0	11.4395	12.0115	12.6121	13.2427	13.9048	915.16	960.92	1008.97	1059.42	1112.38	1989.65	2089.14	2193.60	2303.29	2418.43
432.5	11.7255	12.3119	12.9274	13.5738	14.2525	938.04	984.94	1034.19	1085.90	1140.20	2039.39	2141.36	2248.43	2360.86	2478.91
433.0	12.0115	12.6121	13.2427	13.9048	14.6000	960.92	1008.97	1059.42	1112.38	1168.00	2089.14	2193.60	2303.29	2418.43	2539.35
433.5	12.3119	12.9274	13.5738	14.2525	14.9651	984.94	1034.19	1085.90	1140.20	1197.21	2141.36	2248.43	2360.86	2478.91	2602.85
434.0	12.6121	13.2427	13.9048	14.6000	15.3300	1008.97	1059.42	1112.38	1168.00	1226.40	2193.60	2303.29	2418.43	2539.35	2666.32
434.5	12.9274	13.5738	14.2525	14.9651	15.7134	1034.19	1085.90	1140.20	1197.21	1257.07	2248.43	2360.86	2478.91	2602.85	2733.00
435.0	13.2427	13.9048	14.6000	15.3300	16.0965	1059.42	1112.38	1168.00	1226.40	1287.72	2303.29	2418.43	2539.35	2666.32	2799.63
435.5	13.5738	14.2525	14.9651	15.7134	16.4991	1085.90	1140.20	1197.21	1257.07	1319.93	2360.86	2478.91	2602.85	2733.00	2869.66
436.0	13.9048	14.6000	15.3300	16.0965	16.9013	1112.38	1168.00	1226.40	1287.72	1352.10	2418.43	2539.35	2666.32	2799.63	2939.60
436.5	14.2525	14.9651	15.7134	16.4991	17.3241	1140.20	1197.21	1257.07	1319.93	1385.93	2478.91	2602.85	2733.00	2869.66	3013.15
437.0	14.6000	15.3300	16.0965	16.9013	17.7464	1168.00	1226.40	1287.72	1352.10	1419.71	2539.35	2666.32	2799.63	2939.60	3086.59
437.5	14.9651	15.7134	16.4991	17.3241	18.1903	1197.21	1257.07	1319.93	1385.93	1455.22	2602.85	2733.00	2869.66	3013.15	3163.79
438.0	15.3300	16.0965	16.9013	17.7464	18.6337	1226.40	1287.72	1352.10	1419.71	1490.70	2666.32	2799.63	2939.60	3086.59	3240.93
438.5	15.7134	16.4991	17.3241	18.1903	19.0998	1257.07	1319.93	1385.93	1455.22	1527.98	2733.00	2869.66	3013.15	3163.79	3321.98
439.0	16.0965	16.9013	17.7464	18.6337	19.5654	1287.72	1352.10	1419.71	1490.70	1565.23	2799.63	2939.60	3086.59	3240.93	3402.97
439.5	16.4991	17.3241	18.1903	19.0998	20.0548	1319.93	1385.93	1455.22	1527.98	1604.38	2869.66	3013.15	3163.79	3321.98	3488.08
440.0	16.9013	17.7464	18.6337	19.5654	20.5437	1352.10	1419.71	1490.70	1565.23	1643.50	2939.60	3086.59	3240.93	3402.97	3573.13
440.5	17.3241	18.1903	19.0998	20.0548	21.0575	1385.93	1455.22	1527.98	1604.38	1684.60	3013.15	3163.79	3321.98	3488.08	3662.49
529.0	10.4269	10.9503	11.4978	12.0727	12.6763	834.31	876.02	919.82	965.82	1014.10	1813.87	1904.56	1999.78	2099.79	2204.75
530.0	10.9503	11.4978	12.0727	12.6763	13.3101	876.02	919.82	965.82	1014.10	1064.81	1904.56	1999.78	2099.79	2204.75	2315.00
531.0	11.4978	12.0727	12.6763	13.3101	13.9756	919.82	965.82	1014.10	1064.81	1118.05	1999.78	2099.79	2204.75	2315.00	2430.75
627.0	9.2791	9.7431	10.2303	10.7418	11.2789	742.33	779.45	818.42	859.34	902.31	1613.90	1694.60	1779.33	1868.29	1961.71
627.5	9.5111	9.9867	10.4860	11.0103	11.5608	760.89	798.94	838.88	880.82	924.86	1654.25	1736.98	1823.81	1914.99	2010.74
628.0	9.7431	10.2303	10.7418	11.2789	11.8428	779.45	818.42	859.34	902.31	947.42	1694.60	1779.33	1868.29	1961.71	2059.79
628.5	9.9867	10.4860	11.0103	11.5608	12.1388	798.94	838.88	880.82	924.86	971.10	1736.98	1823.81	1914.99	2010.74	2111.27
629.0	10.2303	10.7418	11.2789	11.8428	12.4349	818.42	859.34	902.31	947.42	994.79	1779.33	1868.29	1961.71	2059.79	2162.77
629.5	10.4860	11.0103	11.5608	12.1388	12.7457	838.88	880.82	924.86	971.10	1019.66	1823.81	1914.99	2010.74	2111.27	2216.84
630.0	10.7418	11.2789	11.8428	12.4349	13.0566	859.34	902.31	947.42	994.79	1044.53	1868.29	1961.71	2059.79	2162.77	2270.91
630.5	11.0103	11.5608	12.1388	12.7457	13.3830	880.82	924.86	971.10	1019.66	1070.64	1914.99	2010.74	2111.27	2216.84	2327.68
631.0	11.2789	11.8428	12.4349	13.0566	13.7094	902.31	947.42	994.79	1044.53	1096.75	1961.71	2059.79	2162.77	2270.91	2384.44
631.5	11.5608	12.1388	12.7457	13.3830	14.0522	924.86	971.10	1019.66	1070.64	1124.18	2010.74	2111.27	2216.84	2327.68	2444.08

SCHEDULE 8
CLASSIFIED MANAGEMENT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
632.011.8428	12.4349	13.0566	13.7094	14.3949		947.42	994.79	1044.53	1096.75	1151.59	2059.79	2162.77	2270.91	2384.44	2503.67
632.512.1388	12.7457	13.3830	14.0522	14.7548		971.10	1019.66	1070.64	1124.18	1180.38	2111.27	2216.84	2327.68	2444.08	2566.26
633.612.4349	13.0566	13.7094	14.3949	15.1146		994.79	1044.53	1096.75	1151.59	1209.17	2162.77	2270.91	2384.44	2503.67	2628.86
633.512.7457	13.3830	14.0522	14.7548	15.4925		1019.66	1070.64	1124.18	1180.38	1239.40	2216.84	2327.68	2444.08	2566.26	2694.58

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

EDULE E
lassified Management and
ncil Appointees

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
Effective July 3, 1979

	Rate	A	B	C	D	E
ncil Appointed ity Manager	Hourly					24.0242
	Biweekly					1,921.94
	Monthly					4,178.48
ity Attorney	Hourly					20.4384
	Biweekly					1,635.07
	Monthly					3,554.81
ity Clerk and Auditor	Hourly				12.9869	13.6362
	Biweekly	11.2186	11.7795	12.3685	1,038.95	1,090.90
	Monthly	897.49 1,951.23	942.36 2,048.79	989.48 2,151.23	2,258.80	2,371.73
lassified Management						
irector of Finance	Hourly				16.4939	17.3186
	Biweekly	14.2481	14.9605	15.7085	1,319.51	1,385.49
	Monthly	1,139.85 2,478.15	1,196.84 2,602.06	1,256.68 2,732.16	2,868.77	3,012.21
irector of Management Services	Hourly				16.0968	16.9016
	Biweekly	13.9050	14.6003	15.3303	1,287.74	1,352.13
	Monthly	1,112.40 2,418.47	1,168.02 2,539.39	1,226.42 2,666.36	2,799.68	2,939.67
irector of Parking and Traffic	Hourly				16.4939	17.3186
	Biweekly	14.2481	14.9605	15.7085	1,319.51	1,385.49
	Monthly	1,139.85 2,478.15	1,196.84 2,602.06	1,256.68 2,732.16	2,868.77	3,012.21
irector of Parks and Recreation	Hourly				16.9075	17.7529
	Biweekly	14.6053	15.3356	16.1024	1,352.60	1,420.23
	Monthly	1,168.42 2,540.26	1,226.85 2,667.27	1,288.19 2,800.63	2,940.66	3,087.69
irector of Planning and Community Development	Hourly				16.4939	17.3186
	Biweekly	14.2481	14.9605	15.7085	1,319.51	1,385.49
	Monthly	1,139.85 2,478.15	1,196.84 2,602.06	1,256.68 2,732.16	2,868.77	3,012.21
Director of Public Works and City Engineer	Hourly				19.4651	20.4384
	Biweekly	16.8147	17.6554	18.5382	1,557.21	1,635.07
	Monthly	1,345.18 2,924.56	1,412.43 3,070.76	1,483.06 3,224.32	3,385.53	3,554.81

Exhibit "E"

SCHEDULE E - Page Two
Unclassified Management and
Council Appointees
Salary Ranges Effective July 3, 1979

	Rate	A	B	C	D	E
Unclassified Management (Continued)						
Fire Chief	Hourly	14,0377	14.7396	15.4766	16.2504	17.0630
	Biweekly	1,123.02	1,179.17	1,238.13	1,300.03	1,365.04
	Monthly	2,441.56	2,563.63	2,691.82	2,826.40	2,967.73
Chief of Police	Hourly	14.6053	15.3356	16.1024	16.9075	17.7529
	Biweekly	1,168.42	1,226.85	1,288.19	1,352.60	1,420.23
	Monthly	2,540.26	2,667.27	2,800.63	2,940.66	3,087.69

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1979-80

(Effective 7-3-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
112.0	Animal Control Trainee
124.5	Arborist
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician
122.5	Assistant Electrician
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker

Exhibit "F"

Range No.	Title of Classification
	Financial Specialist
120.5	Fire Battalion Chief
529.0	Fire Chief
N/A	Fire Engineer
211.0	Fire Fighter
210.0	Fire Lieutenant
213.0	Fire Prevention Inspector Trainee
112.0	Fire Prevention Technician
120.5	
	Heavy Equipment Operator
122.5	Housing Conservationist
120.5	Housing Program Officer
432.0	
	Industrial Waste Inspector
125.0	
	Janitor
116.5	Junior Accountant
123.0	Junior Civil Engineer
126.0	Junior Planner
123.0	
	Keypunch Operator
114.5	
	Laboratory Technician
122.5	Laborer (Unclassified)
116.5	Landscape Designer
126.0	Lead Coach Mechanic
125.0	Lead Equipment Mechanic
123.0	Legal Secretary I
416.5	Legal Secretary II
418.5	
	Maintenance Worker
116.5	Management Assistant
429.0	Management Assistant (Risk Manager)
429.0	Microfilm and Graphics Technician I
113.5	Microfilm and Graphics Technician II
115.5	Motor Sweeper Operator
120.5	Museum Supervisor
424.0	
	Nursery Propagator
122.5	

Range No.	Title of Classification
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
433.0	Parks and Recreation Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
426.0	Plan Review Engineer I
429.0	Plan Review Engineer II
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
630.0	Police Lieutenant
310.0	Police Officer
117.5	Police Property Clerk
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
426.0	Programmer Analyst
430.0	Property Agent
425.0	Public Services Inspector
114.5	Public Services Trainee
122.5	Public Works Leadworker

Range No.	Title of Classification
113.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
124.0	Purchasing Assistant
429.0	Purchasing Officer
426.0	Recreation Supervisor
117.5	Recreation Program Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
426.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
423.0	Senior Rehabilitation Specialist
423.5	Social Services Coordinator
429.0	Shop Supervisor
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
125.0	Zoning Inspector

MODESTO CITY COUNCIL
RESOLUTION NO. 79-
630

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the following classifications:

CLASSIFICATIONS ABOLISHED

Equipment Repair Shop Supervisor

Fire Prevention Inspector Trainee (effective October 1, 1979)

Offset Duplicating Machine Operator

Public Services Trainee (effective October 1, 1979)

Senior Equipment Mechanic

Supervising Clerk I

SECTION 2. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is further amended to create new classifications as follows:

CLASSIFICATIONS CREATED

Animal Control Trainee

Assistant Shop Supervisor

Engineering Computer Programmer

Fire Prevention Technician

Legal Secretary I

Printing Services Operator I

Printing Services Operator II

Risk Management Assistant I

Risk Management Assistant II

Shop Supervisor

Word Processing Supervisor

The specifications for the classifications created, as shown on the attached Exhibits "A", "B", "C", "D", "E", "F", "G", "H", and "I", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classifications as shown on Exhibits "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z", "AA", and "BB", attached hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

CLASSIFICATIONS AMENDED

Assistant Building Inspector

Civil Engineering Technician II

Civil Engineering Technician III

Civil Engineering Technician IV

Community Service Officer

Equipment Operator

Legal Secretary II

Microfilm and Graphics Technician I

Personnel Clerk

Personnel Manager

Personnel Technician

Public Works Leadworker

Public Works Maintenance Worker II

Secretary to City Attorney

Secretary I

Senior Personnel Clerk

Senior Personnel Technician

Word Processing Trainee

Word Processing Technician I

SECTION 4. EFFECTIVE DATE. This resolution shall become effective on and after July 3, 1979, except as otherwise provided for herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being

duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

ANIMAL CONTROL TRAINEE

DEFINITION

Under direct supervision, to learn enforcement of municipal ordinances and State humane laws governing the keeping of animals in the City; to collect and transport animals to the appropriate impounding place; and to do related work as required.

EXAMPLES OF DUTIES

Receives training in the application of regulations and procedures related to animal control; patrols streets in a small truck and looks for stray dogs and animals; checks dogs for licenses and issues dog licenses to the public; investigates reports or complaints of dogs, cats, or other animals creating nuisances and takes appropriate action; takes animals to the appropriate animal shelter; assists the public in claiming animals; removes dead animals from streets and other public property; issues citations to animal owners for failure to comply with regulations; appears in court proceedings in cases involving animal complaints; keeps a record of all actions; learns to prepare reports.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Ability to:

- Learn the laws concerning the collection, impounding, and disposal of stray animals and the control of animal nuisances;
- Learn safety practices and procedures;
- Use animal tranquilizing equipment;
- Understand and carry out oral and written directions;
- Maintain records and prepare reports;
- Establish and maintain cooperative relationships with those contacted during the course of work.

ASSISTANT SHOP SUPERVISOR

DEFINITION

Under direction, to supervise the work of an automotive and equipment repair facility; to perform the most difficult servicing, mechanical adjustment, and repair work to automotive and other power-driven equipment; to requisition and maintain necessary equipment shop supplies and materials; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, schedules, and assists in the supervision of the City's automotive and equipment repair facilities; inspects, repairs, services, and maintains City owned equipment such as automobiles, buses, trucks, tractors, rollers, sweepers, and other mechanical equipment; diagnoses defects; determines parts, material and labor for overhaul or repair; instructs and supervises subordinates in servicing and making repairs to a wide variety of automotive and other power-driven equipment; requisitions needed supplies and maintains an appropriate stock level for equipment shop overhaul and repair work; keeps necessary records of time, material, parts and work performed; assists in preparing specifications for purchase of supplies and equipment; consults with regarding mechanical equipment problems; supervises or carries out emergency repairs or equipment service in the field; audits completed work orders and inspects work to insure that proper repair has been performed; reviews accident reports regarding City vehicles for establishing liability and determining repair needs; assists with the preparation of the equipment repair budget and the controlling of budget expenditures.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

Principles, methods, and practices pertaining to the operation of an equipment maintenance and repair shop;
Tools, lubricants, equipment and procedures used in the servicing, overhaul, repair and adjustment of automotive and other power-driven equipment;
Principles and methods used in a program of preventive maintenance;
Safe work practices;
Principles of supervision, training, and shop organization;
Principles of budget preparation.

and

wpc

ASSISTANT SHOP SUPERVISOR

DEFINITION

Under direction, to supervise the work of an automotive and equipment repair facility; to perform the most difficult servicing, mechanical adjustment, and repair work to automotive and other power-driven equipment; to requisition and maintain necessary equipment shop supplies and materials; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, schedules, and assists in the supervision of the City's automotive and equipment repair facilities; inspects, repairs, services, and maintains City owned equipment such as automobiles, buses, trucks, tractors, rollers, sweepers, and other mechanical equipment; diagnoses defects; determines parts, material and labor for overhaul or repair; instructs and supervises subordinates in servicing and making repairs to a wide variety of automotive and other power-driven equipment; requisitions needed supplies and maintains an appropriate stock level for equipment shop overhaul and repair work; keeps necessary records of time, material, parts and work performed; assists in preparing specifications for purchase of supplies and equipment; consults with regarding mechanical equipment problems; supervises or carries out emergency repairs or equipment service in the field; audits completed work orders and inspects work to insure that proper repair has been performed; reviews accident reports regarding City vehicles for establishing liability and determining repair needs; assists with the preparation of the equipment repair budget and the controlling of budget expenditures.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

Principles, methods, and practices pertaining to the operation of an equipment maintenance and repair shop;
Tools, lubricants, equipment and procedures used in the servicing, overhaul, repair and adjustment of automotive and other power-driven equipment;
Principles and methods used in a program of preventive maintenance;
Safe work practices;
Principles of supervision, training, and shop organization;
Principles of budget preparation.

and

wpc

Ability to:

Diagnose mechanical difficulties with skill and accuracy;
Perform minor and major mechanical repair work on City owned mechanical equipment;
Estimate labor and material costs and requirements for major mechanical maintenance and repair;
Design and fabricate special tools or mechanical equipment;
Keep clear and accurate records;
Supervise and train subordinate personnel;
Assist with preparing a shop budget and maintaining accurate controls on expenditures;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Three years of journey level work in the overhaul and repair of automotive and other power-driven equipment, preferably including some experience in requisitioning and storing supplies and equipment.

DEFINITION

Under direction, performs complex computer related engineering work in connection with design and implementation of department projects; and does other related duties.

EXAMPLES OF DUTIES

Note: The following tasks are typical of those performed by most employees in this class; however, employees may perform related duties. Not all duties listed are necessarily performed by each individual in the class.

Prepares and reviews maps, right of way easements, and property descriptions; utilizes computers to calculate, digitize, store, recall, and plot geo-coded data as well as property lines, utilities, boundaries, addresses, plans, profiles, cross sections, and other information; utilizes computers to compute vertical and horizontal alignments, curves, grades, cross slopes, traverses for highway, drainage, and sewer facilities and other related computations; calculates and plots field survey data in the preparation of plans, profiles, and cross sections; trains staff in the use of computers in engineering applications and assists with difficult problems; plans, organizes, assigns, reviews, and oversees the work of others; develops procedures and writes or revises computer programs for engineering applications; develops and prepares specifications for computer hardware, software, and services; reviews proposals and submittals; and provides recommendations in connection with such proposals and submittals; analyzes needs of engineering department and recommends which processes should be converted to photographic and computer drafting techniques; operates photographic dark room for both normal and color film processing; attends equipment manufacturers demonstrations to valuate applicability of new products to the Engineering Department.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents may be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

City improvement standards and construction specifications;
Civil engineering design mapping and drafting procedures;
Construction materials, practices, and cost estimating procedures;
Surveying equipment, procedures and practices;
Terminology and practices used in describing property parcels;

wpc
6/20/79

Basic engineering hydraulics used in the design of cross culverts and other drainage facilities;
Theories of intersection channelization in traffic engineering, algebra, plane geometry, and trigonometry;
Fortran, enchanced basic or other computer programming languages;
Computer plotting techniques;
Land surveying principles, practices, and procedures.

and

Ability to:

Understand and interpret field survey notes;
Prepare engineering plans and charts;
Make complex mathematical computations related to civil engineering;
Understand, interpret and apply City standards, specifications, ordinances and codes;
Work cooperatively with other units in the department and other agencies;
Apply engineering principles and terminology to preparation of public works projects;
Design horizontal and vertical curves in establishing alignment and profile grades of roadways;
Compute areas of parcels of land by traverses and other methods;
Prepare legal descriptions for right of way acquisitions;
Design cross culverts and other drainage facilities associated with public projects;
Write contract specifications and prepare cost estimates;
Prepare computer programs for engineering applications;
Prepare detailed computer program manuals for solving various engineering problems;
Trains and supervise engineering personnel in the use of computer systems;
Analyze methods and procedures and make appropriate recommendations.

and

Experience:

Four years experience in engineering office, traffic, or survey party work. (Two or more years completed at an accredited college or university may substitute for one year of the required experience, provided that there were courses in engineering, surveying, drafting, mathematics or the physical sciences.)

and

Education:

Completion of 12 units of college level courses in civil engineering, including computer programming, hydraulics, statics, surveying or drafting.

wpc
6/20/79

FIRE PREVENTION TECHNICIAN

DEFINITION

Under supervision, performs inspections in fire prevention and related areas; and does other work as required.

DISTINGUISHING CHARACTERISTICS

Individuals in this class are not sworn Fire employees. They will be expected to assist and perform the duties found in the Fire Prevention Division. Incumbents perform a variety of routine fire prevention inspections; will be expected to give public presentations relating to fire prevention and life safety; will perform routine code enforcement activities related to local and state fire and life safety codes.

EXAMPLES OF DUTIES

Receives training in the application of regulations, assists in investigations, report writing and interviewing; gathers information and completes reports at the scene of a fire; performs evidence technician tasks including gathering evidence, fire scene sketches, searches and photographs, develops and prints photographic materials; answers questions from the public regarding arson and related fire laws; meets with citizen groups and organizations and makes oral presentations relating to fire prevention and life safety; performs code enforcement activities related to local and state fire and life safety codes; accounts for code books, and prepares reports on work performed.

SPECIAL REQUIREMENTS

Possession of an appropriate license issued by the California Department of Motor Vehicles.

DESIRABLE QUALIFICATIONS

Ability to:

- Think clearly, quickly and accurately in emergencies;
- Compile, analyze and report information;
- Read and write at a level required for successful job performance;
- Act resourcefully with minimum supervision;
- Establish and maintain cooperative relationships with those contacted during the course of work;
- Understand and carry out oral and written directions.

and

Knowledge of:

Correct English usage, spelling, grammar and punctuation;
Geography of City of Modesto;
Fire Department inspection procedures;
Department policies and operating procedures.

and

Experience:

One year or more of training in fire prevention and inspection.
Completion of fifteen (15) college semester units, including six (6) units of Fire Science, may substitute for the required experience.

wpc

6/12/79

LEGAL SECRETARY I

LEGAL SECRETARY II

DEFINITION

This series specification describes two classes which have the responsibility for performing a variety of legal secretarial and clerical work in the City Attorney's Office; to relieve the attorneys of a variety of administrative and clerical details; and do related work required.

EXAMPLES OF DUTIES

Acts as secretary to an attorney relieving him/her of a variety of administrative and clerical details; prepares documents such as ordinances, resolutions, and release agreements; prepares legal papers relating to civil and criminal proceedings such as complaints, summons, stipulations, dismissals, points and authorities; assists with the timely filing of documents and papers; maintains updated lists of matters pending litigation; processes cases set for trial by preparing memos and letters to litigants; prepares letters of citation for violations to the Municipal Code; takes and transcribes dictation involving legal terminology; independently composes correspondence; checks the suspense file daily and brings matters requiring follow-up to the attention of the attorneys; maintains appointment schedule of an attorney; assists the Secretary to the City Attorney in the maintenance of department files and records; prepares purchase requisitions and orders supplies; processes invoices for payment; assists with the posting of departmental budgetary records; processes incoming mail; assists with updating law library material and maintaining records of library usage; gathers information and prepares a variety of reports.

EMPLOYMENT STANDARDS

Knowledge of:

For Legal Secretary I

Legal terminology, phraseology, documents, and procedures;
Statistical and record keeping methods;
Correct English usage, spelling, grammar, and interpretation;
Modern office methods and procedures.

For Legal Secretary II

In addition to the above, principles of supervision and training.

and

DISTINGUISHING CHARACTERISTICS

Legal Secretary I positions are normally assigned to provide direct secretarial assistance to an attorney or attorneys below the level of Assistant City Attorney. The scope of assignments and delegated responsibilities is broad and extensive, but, less than that of a Legal Secretary II.

wpc
6/6/79

Legal Secretary II is a single position class assigned to the Assistant City Attorney. Incumbents in this position act in the absence of the Secretary to the City Attorney.

Ability to:

For Legal Secretary I

Perform difficult and responsible legal secretarial and clerical work;
Interpret and apply policies, laws, rules, and regulations;
Learn the operations, functions, and procedures of the City Attorney's Office;
Prepare reports and correspondence independently;
Prepare legal documents and case files;
Takes dictation involving a large number of technical legal terms at a speed of 90 words per minute and transcribe it accurately;
Type at a speed of 50 words per minute from clear copy;
Establish and maintain cooperative relationships with those contacted during the course of work.

For Legal Secretary II

Type at a speed of 60 words per minute from clear copy.
In addition to the above abilities, ability to supervise and train subordinate personnel.

and

Experience:

For Legal Secretary I

Two years of increasingly responsible secretarial and clerical experience, including one year in a legal office.

For Legal Secretary II

Three years of increasingly responsible secretarial and clerical experience, including two years in a legal office.

wpc
6/6/79

PRINTING SERVICES OPERATOR I
PRINTING SERVICES OPERATOR II

DEFINITION

Under general supervision, to operate offset duplicating equipment in the production of varied printed and typewritten materials; to perform some preventive maintenance tasks and simple repairs on offset duplicating equipment; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

PRINTING SERVICES OPERATOR I is the entrance level for the person who possesses basic skills to learn the operations and procedures that relate specifically to offset duplicating machines and equipment used in reproduction activities.

PRINTING SERVICES OPERATOR II is the journey level class that would normally be filled by advancement from Printing Services Operator I. The incumbent will have responsibility in training subordinate personnel and will be in charge of the unit in the absence of the supervisor.

EXAMPLE OF DUTIES

Operates an offset duplicating machine in the reproduction of such materials as bulletins, booklets, forms, letters, memos, and other work; adjusts paper feed and guides for weights and sizes of stock; inks and adjusts rollers; regulates ink and repellent flow; makes minor adjustments to the machine; cleans machine and maintains it in good working order; processes and preserves duplicating masters; operates a variety of other equipment which is associated with doing duplicating work, such as copy machines, converter machines, collator, stapler, and addressograph machinery; cuts paper stock with paper cutter in order to get maximum amount of useful paper; may perform simple layout and other preparation of copy for duplications; collates, staples, drills, folds, trims, and binds reproduced materials; may assist with the inventorying and stocking of duplicating supplies; assists when needed in all areas of duplicating operations; operates blueprinting machinery; may be called upon to take care of incoming and outgoing mail including sorting, weighing, and stamping and to deliver mail, messages, and agenda on a designated route; insures that all travel logs for City Hall motor pool are maintained; assists in counting daily collection of monies from parking meters.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

For Printing Services Operator I
Operation and care of offset duplicating machines;
Ink and paper stock used in duplication work;

General bindery procedures;
Simple methods of laying out work for reproduction;
Mail processing and delivery procedures;
Safety practices and procedures.

For Printing Services Operator II
Principles of training and supervision.

and

Ability to:

For Printing Services Operator I
Operate offset duplicating machines and equipment used in reproduction activities;
Operate blueprinting equipment;
Make minor adjustments and repairs to duplicating machines and related equipment;
Maintain duplicating equipment in good working condition;
Count accurately monies collected from parking meters;
Work under pressure in meeting deadlines;
Accurately sort, weigh, stamp, and distribute mail;
Deliver mail, messages, and agenda on a designated route;
Follow oral and written directions;
Establish and maintain cooperative relationships with those contacted during the course of work;
Adapt to changing safety requirements.

For Printing Services Operator II
Operate and control a municipal vehicle pool operation, in the absence of the supervisor;
In addition to the above abilities, ability to train and supervise subordinate personnel.

and

Experience:

For Printing Services Operator I
One year of experience in the operation of offset and related duplicating equipment.

For Printing Services Operator II
One year as a Printing Services Operator I or two years of closely related experience in offset and related duplicating equipment.

RISK MANAGEMENT ASSISTANT I

RISK MANAGEMENT ASSISTANT II

DEFINITION

Under general supervision, to perform technical work in the areas of risk management, including but not confined to, workers' compensation administration, public liability claims, property insurance, safety and loss prevention, and other related work as required.

DISTINGUISHING CHARACTERISTICS

Risk Management Assistant I - This is the entry (trainee) level in the Risk Management Assistant series. The work assigned is primarily in the areas of workers' compensation, general liability property insurance, etc. Incumbents work under close supervision; as experience and proficiency are gained, progressively more difficult tasks and responsibilities are assigned.

Risk Management Assistant II - This position differs from the Risk Management Assistant I chiefly in terms of degree of supervision and difficulty of assignments. Incumbents are expected to have mastered the techniques of routine risk management work. Incumbents are given the opportunity to exercise considerable independent judgment, particularly in matters of safety and loss control and in the investigation and adjustment of claims/losses.

EXAMPLES OF DUTIES

Performs technical assignments in the City's self-insured insurance programs; investigates and makes reports for the City's safety program; conducts special surveys and projects; gathers and analyzes information for risk management, prepares various studies; answers questions and maintains liaison with employees and the public in workers' compensation and/or liability claims, preparing necessary forms and routine reports; acts as liaison with the City's workers' compensation and/or medical insurance administrators; answers the telephone and serves the general public; gives information to City personnel regarding rules, regulations and procedures, including workers' compensation, general liability, safety and loss prevention; trains and assigns work to subordinate employees.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month of employment.

wpc
6/1/79

EMPLOYMENT STANDARDS

Knowledge of:

Office procedures and practices;
Principles of insurance and claims handling in a public setting;
Principles of safety and loss prevention;
Principles of supervision and training;
Arithmetic, basic accounting;
English usage, spelling, grammar, and punctuation.

and

Ability to:

Meet and communicate with the public;
Interpret rules, laws and policies and apply them with good judgment;
Perform technical work, especially in the area of risk management, involving workers' compensation, liability insurance including safety and loss prevention;
Compile and analyze information regarding existing procedures;
Express ideas clearly and concisely in oral and written communications;
Initiate correspondence and telephone communications concerning routine decisions;
Type from clear copy accurately enough to meet job standard requirements;
Establish and maintain records and files;
Establish and maintain cooperative relationships with those contacted during the course of the work.

and

Experience:

FOR RISK MANAGEMENT ASSISTANT I:

Three years of responsible secretarial, bookkeeping, and general clerical experience, preferably with one year of experience in a local government risk management, or an insurance claims office.

Four years completed at an accredited college or university may be substituted for two years of the required experience, provided that there is upper-division course work in industrial relations, insurance, loss prevention or other closely related fields.

wpc
6/1/79

Risk Management Assistant I - 3

Risk Management Assistant II - 3

FOR RISK MANAGEMENT TECHNICIAN II:

Two years as a Risk Management Assistant I with the City of Modesto,

or

Two years or more performing technical work in safety, loss control, Risk Management, or workers' compensation.

wpc
6/1/79

DEFINITION

Under direction, to plan, organize, and direct the equipment repair and equipment replacement functions of the Public Works Service Division; and to do related work as required.

EXAMPLES OF DUTIES

Develops policies and procedures for the equipment repair and equipment procurement functions of the Public Works Service Division; supervises the assignment and dispatching of City equipment; insures that a proper program of preventive maintenance has been established and is carried out; checks equipment in the field to insure that required practices are being followed regarding equipment use; supervises the development of equipment replacement procedures; supervises the development of specifications for equipment purchases; authorizes the commercial repair of equipment; prepares and justifies the capital improvement programs and annual budget for the services division; controls budget expenditures; oversees the evaluation and training of the Division's personnel.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

DESIRABLE QUALIFICATIONS

Knowledge of:

- Inventory control and equipment procurement procedures;
- Specification requirements for the purchase of new and replacement equipment;
- Principles, methods, and practices pertaining to the operation and maintenance of an equipment repair shop and preventive maintenance program;
- Equipment, materials, methods, and procedures used in public works maintenance;
- Principles of supervision and training;
- Principles of budget preparation and expenditure control.

and

Ability to:

- Plan, organize, and supervise a program of equipment repair;
- Establish and maintain a system of equipment assignment which best coordinates available resources with operating units' needs;
- Train and evaluate the work of subordinate personnel;
- Keep records and prepare regular and special reports;
- Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Five years of experience in equipment maintenance work, including at least one year in a supervisory capacity.

DEFINITION

Under direction, to supervise a central word processing facility and provide clerical assistance to City departments; and to do related work as required.

EXAMPLES OF DUTIES

Supervises, organizes, and coordinates the work of employees engaged in performing typing and clerical work for City departments; assigns and reviews typing of letters, reports, statements, forms, statistical material, and transcripts of Council hearings regarding Board of Zoning Adjustment appeals and Planning Commission hearings; assigns and reviews transcription typing of Police Reports; personally performs required typing and transcribing work; oversees the operation of the central switchboard coverage during all business hours; assists in budget preparation and control of expenditures for central word processing facility.

EMPLOYMENT STANDARDS

Knowledge of:

Magnetic keyboard typewriting equipment;
Operations, purposes, and functions of a central typing pool and record storage facility;
Microfilming processes and equipment;
Modern office practices and procedures;
Correct English usages, spelling, grammar, and punctuation;
Basic methods used in financial and statistical record keeping;
City of Modesto Personnel Rules and Procedures;
Principles of supervision and training.

and

Ability to:

Use magnetic keyboard typewriting equipment;
Plan, organize, supervise and schedule the work of staff assigned to the central word processing facility;
Assure the proper meeting of work deadlines;
Perform responsible typing and clerical work involving the use of independent judgment;
Prepare reports;
Make arithmetical calculations with speed and accuracy;
Coordinate work of the central typing pool with the needs of many City departments;
Establish and maintain cooperative relationships with those contacted during the course of work;
Type at a speed of 60 words per minute from a clear copy.

and

Experience:

Three years of increasingly responsible clerical experience, including two years experience on a magnetic keyboard.

wp

ASSISTANT BUILDING INSPECTOR

DEFINITION

This is a building inspector trainee position in which the employee initially is not required to have extensive experience or knowledge relating to building construction or inspection, although some familiarity in these subjects is highly desirable.

EXAMPLES OF DUTIES

As a trainee, an employee in this classification is expected to advance at a reasonable rate to the levels of skill and knowledge required for the position of building inspector. Specific duties and responsibilities will be progressively assigned in accordance with employee's demonstrated capabilities and attitude. Generally, this employee will, under immediate supervision, learn office procedures and legal precepts relating to code enforcement; learn to evaluate construction plans and specifications, and become familiar with terminology relating to construction work and code enforcement; work with and assist building inspectors, clerical staff, and zoning inspectors, perform inspections and clerical work as assigned; as authorized and directed, attend courses of instruction intended to develop employee's capabilities and/or enhance his proficiency as an inspector; perform related duties as required.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

DESIRABLE QUALIFICATIONS

Knowledge of:

- Types of building materials and variations in their quality;
- Modern methods of building construction;
- Acceptable health and safety standards in building construction.

Ability to:

- Think independently and objectively;
- Communicate effectively;
- Maintain a constructive relationship with associates and the public;
- Must be physically capable of safely moving about on construction worksites.

Experience:

- One year of vocational training in construction related subjects and/or work experience in the building construction industry.

wpc
6/5/79

DEFINITION

This series specification describes two Civil Engineering Technician classes which have responsibility for performing a variety of surveying, drafting, office engineering, and traffic engineering work in support of higher level engineering staff and to do related work as required.

DEFINITION OF LEVELS

Civil Engineering Technician I is the entry and training class in the series. Incumbents perform a variety of routine tasks in training assignments and learn to perform technical work in surveying, drafting, office engineering, and traffic engineering. After a two year training period, incumbents are expected to perform a wide variety of technical engineering work in the above fields and are eligible to compete for promotion to Civil Engineering Technician II.

Civil Engineering Technician II is the fully qualified working level class in the series. In addition to performing technical engineering work, incumbents may perform some inspection work.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents may be required to file a Statement of Economic Interests.

Incumbents in some positions will be required to perform manual labor which may include lifting and carrying bundles of survey stakes and sledge hammers to drive survey stakes and hubs; must possess sufficient eye-hand coordination to enable use of hand tools when searching for survey monuments and removing brush.

EXAMPLES OF DUTIES

Using rod or chain, assists or sets and marks center line, cross-section and grade stakes, and other markers and reference points; drives stakes, cuts brush, locates monuments, and measures distances; assists in making topographical surveys; assists in making survey or construction notes and reports; operates transits and levels in the conduct of a variety of location, construction, property, and other survey work; determines lines, angles, distances, and elevations; cleans and adjusts survey instruments; uses drafting instruments and other engineering aids in the office to perform the computing and drafting operations involved in checking and reducing field and survey notes; calculates distances, ties, angles, area, traverses, and closures; computes grades and profiles; updates and drafts City limit maps, sewer maps, water maps, subdivision maps, and parcel maps; supplies contractors and general public with engineering information; researches files and records for preparation of legal descriptions and a variety of projects; checks and writes the less difficult legal descriptions for lien agreements, proposed right of way, and utility easements; makes cost estimates for sewer, water, sidewalks, paving, curb and gutter construction projects; compiles data, designs, and drafts plans for parking and traffic projects, investigates and makes recommendations on complaints relating to traffic, pedestrian and parking; assists in the preparation of statistical and revenue reports.

Knowledge of:

Civil Engineering Technician I

Principles of trigonometry, geometry, and algebra.

Civil Engineering Technician II

In addition to the above knowledges, applications of algebra, geometry, and trigonometry to technical surveying and drafting work;
Principles, methods, techniques, and equipment used in surveying, drafting, and traffic engineering;
Common engineering construction methods and standards.

and

Ability to:

Civil Engineering Technician I

Learn to perform technical surveying, drafting, office engineering, and traffic engineering work;
Perform arithmetical computations neatly and accurately;
Do computing, lettering and tracing neatly and accurately;
Understand and carry out oral and written instructions;
Use hand tools with skill and care;
Clean and maintain surveying instruments;
Read and write English at a level necessary for successful job performance;
Establish and maintain effective relationships with employees and the public.

Civil Engineering Technician II

In addition to the above abilities, operate surveying and engineering equipment efficiently and accurately;
Make accurate engineering computations;
Prepare maps, drawings, and layouts from notes and sketches;
Write the less difficult legal descriptions;
Assist with calculation of cost estimates for public works projects.

and

Experience:

Civil Engineering Technician II

Two years performing technical work comparable to that of Civil Engineering Technician I for the City of Modesto.

Two or more years completed at an accredited college or university may substitute for one year of the required experience, provided that there were courses in engineering, surveying, drafting, mathematics, computer science, or the physical sciences.

DEFINITION

Under general supervision, to perform difficult surveying, drafting, and related subprofessional engineering field, office, traffic and parking work; to perform skilled civil engineering calculations on small projects or segments of large projects; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Positions in this class are characterized by the assignment of duties requiring considerable knowledge of surveying, engineering, traffic and parking procedures. They perform a variety of difficult tasks, using a high degree of independent judgment. Incumbents receive general supervision and instruction from higher level engineering staff.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents may be required to file a Statement of Economic Interests.

Incumbents in some positions will be required to perform manual labor which may include lifting and carrying bundles of survey stakes and sledge hammers to drive survey stakes and hubs; must also possess sufficient eye-hand coordination to enable use of hand tools when searching for survey monuments and removing brush.

EXAMPLES OF DUTIES

Prepares plans for streets, street lighting, sanitary sewers, storm drains, and other segments of public works projects; prepares plans, profiles, cross-sections and other details including quantity estimates and horizontal vertical alignment computations; calculates pipe slopes, grades, velocities, volumes, and cross slopes; utilizes engineering computer to compute vertical and horizontal alignments, curves, grades, cross-slopes, traverses for highway, drainage, sewer facilities, traffic and other related computations; supervises and checks drafting projects in progress; makes routine contacts with the public; checks legal descriptions of property for accuracy and conformity to legal requirements; computes traverses; checks subdivision maps, parcel maps, and other engineering documents for conformance to State laws and local ordinances; oversees and performs the updating of maps to include new subdivisions and other changes; performs instrument work on field surveys; assists with the gathering and compilation of field data for layout of road beds, curbs, paving, gutters, and sidewalks; establishes tentative lines and grades; makes engineering computations; keeps and reduces field survey notes; assists in administration of Public Works contracts, including contract costs, materials verification, and compliance with State and Federal regulations; designs and drafts plans for Parking and Traffic projects; compiles data and prepares reports; inspects Parking and Traffic construction projects.

EMPLOYMENT STANDARDS

Knowledge of:

Use of transit, level and other survey instruments and skill in their operation;

Basic knowledge of construction materials;
Principles, practices, techniques of and equipment related to engineering drafting;
Mathematics, including algebra, plane geometry and trigonometry;
Basic engineering terminology, practices and techniques;
Basic regulations and standards related to Parking and Traffic;
Survey procedures;
Field material tests and inspection procedures;
Engineering reproduction processes such as ozalid and blueprint.

and

Ability to:

Use engineering calculators and computers in making accurate computations;
Read and interpret property descriptions;
Follow established procedures in the performance of a variety of civil or traffic engineering duties requiring careful execution;
Use and adjust precision surveying instruments;
Establish and maintain effective relationships with employees and the public;
Analyze situations accurately and make recommendations;
Read and write English at a level required for successful job performance;
Read and interpret technical engineering manuals;
Do difficult lettering, tracing, drafting and layouts;
Supervise and train subordinate personnel.

and

Experience:

Three years experience in engineering office, traffic engineering or survey party work. (Two or more years completed at an accredited college or university may substitute for one year of the required experience, provided that there were courses in engineering, surveying, drafting, mathematics, computer science or the physical sciences.)

and

Education:

Completion of 12 units of college level courses in civil engineering, hydraulics, statics, surveying or drafting.

DEFINITION

Under direction, does complex sub-professional engineering work in connection with planning and design of department projects; and does other related duties.

DISTINGUISHING CHARACTERISTICS

The Civil Engineering Technician IV is the highest level class in the engineering technician series. It differs from the Civil Engineering Technician III by the requirement for a high degree of skill in civil engineering design work and a responsibility to instruct lower level technicians in development of engineering skills.

EXAMPLES OF DUTIES

Prepares plans, profiles, cross sections, specifications, and cost estimates; calculates and plots field survey data in the preparation of plans, profiles, and cross sections; determines vertical and horizontal alignments, curves, grades, cross slopes, traverses for highway, drainage and sewer facilities; utilizes engineering computer to compute vertical and horizontal alignments, curves and grades, cross slopes, traverses for highways, drainage, sewer facilities, traffic and other related computations; calculates mathematical accuracy and checks for legal sufficiency of subdivision maps; writes legal descriptions and drafts maps for right of way acquisition; searches County records for property titles and restrictions; calculates subdivision improvement bond amounts; prepares subdivision agreements; prepares memos for Council agenda; works directly with Property Agent, City Attorney, and private consulting civil engineers regarding details of right of way acquisition documents and subdivision maps; instructs and trains subordinate personnel; acts as custodian for legal records on subdivision maps and City property documents.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents may be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

City improvement standards and construction specifications;
Civil engineering design mapping and drafting procedures;
Construction materials, practices, and cost estimating procedures;
Surveying equipment, procedures and practices, terminology and practices used in describing property parcels;
Basic engineering hydraulics used in designing cross culverts and other drainage facilities;

wpc
6/20/79

Theories of intersection channelization in traffic engineering, algebra, plane geometry, and trigonometry.

and

Ability to:

Understand and interpret field survey notes;
Prepare engineering plans and charts;
Make complex mathematical computations related to civil engineering;
Understand, interpret and apply City standards, specifications, ordinances and codes;
Work cooperatively with other units in the department and other agencies;
Apply engineering principles and terminology to preparation of public works projects;
Design horizontal and vertical curves in establishing alignment and profile grades of roadways;
Compute areas of parcels of land by traverses and other methods;
Prepare legal descriptions for right of way acquisitions;
Design cross culverts and other drainage facilities associated with public projects;
Write contract specifications and prepare cost estimates;
Supervise and train subordinate personnel.

and

Experience:

Five years experience in engineering office, traffic or survey party work. (Two or more years completed at an accredited college or university may substitute for one year of the required experience, provided that there were courses in engineering, surveying, drafting, mathematics, computer science or the physical sciences.)

and

Education:

Completion of twelve (12) or more semester units of college level courses in civil engineering, hydraulics, statics, surveying or drafting.

COMMUNITY SERVICE OFFICER

DEFINITION

Under supervision, to carry out assignments that assist sworn Police Officers in investigations, parking and traffic control, evidence, prisoner escort, matron and process server; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Individuals in this class will perform non-enforcement tasks normally performed by sworn Police Officers. Individuals in this class will not be sworn Police Officers and will not carry a weapon. Completion of one year in this class will meet the experience requirement for the class of Police Officer.

EXAMPLES OF DUTIES

Receives training in the application of regulations, investigation techniques, report writing, interviewing, and other related activities; gathers information and completes reports of petty theft, automobile theft, non-injury accidents, malicious mischief, abandoned vehicles, lost and found property and other non-hazardous situations requiring the attention of the police department; directs traffic during rush hour and at accident scenes; assists in crowd control and traffic control at fires; responds to citizen requests for service; meets with citizen groups and organizations; does special detail work such as escort and matron duty; performs evidence technician responsibilities including gathering evidence, crime scene sketches, searches and photographs, processing fingerprints, both latent and rolled, develops and prints photographic material; tests drugs and narcotics; does process serving; issues traffic citations for parking violations, such as overtime parking, double parking, improper use of zones, illegal parking in restricted zones and other violations of the Vehicle Code or City Ordinances pertaining to the parking or standing of motor vehicles; answers questions from the public regarding parking and related traffic laws, location of public buildings, parks and other points of interest, and other general information; prepares reports on faulty meters, describing problem and location; accounts for citation books, and prepares reports on work performed.

SPECIAL REQUIREMENTS

Possession of the appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

Correct English usage, spelling, grammar and punctuation;
Geography of City of Modesto;
Police Department emergency procedures;
Departmental policies and operating procedures.

and

COMMUNITY SERVICE OFFICER

DEFINITION

Under supervision, to carry out assignments that assist sworn Police Officers in investigations, parking and traffic control, evidence, prisoner escort, matron and process server; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Individuals in this class will perform non-enforcement tasks normally performed by sworn Police Officers. Individuals in this class will not be sworn Police Officers and will not carry a weapon. Completion of one year in this class will meet the experience requirement for the class of Police Officer.

EXAMPLES OF DUTIES

Receives training in the application of regulations, investigation techniques, report writing, interviewing, and other related activities; gathers information and completes reports of petty theft, automobile theft, non-injury accidents, malicious mischief, abandoned vehicles, lost and found property and other non-hazardous situations requiring the attention of the police department; directs traffic during rush hour and at accident scenes; assists in crowd control and traffic control at fires; responds to citizen requests for service; meets with citizen groups and organizations; does special detail work such as escort and matron duty; performs evidence technician responsibilities including gathering evidence, crime scene sketches, searches and photographs, processing fingerprints, both latent and rolled, develops and prints photographic material; tests drugs and narcotics; does process serving; issues traffic citations for parking violations, such as overtime parking, double parking, improper use of zones, illegal parking in restricted zones and other violations of the Vehicle Code or City Ordinances pertaining to the parking or standing of motor vehicles; answers questions from the public regarding parking and related traffic laws, location of public buildings, parks and other points of interest, and other general information; prepares reports on faulty meters, describing problem and location; accounts for citation books, and prepares reports on work performed.

SPECIAL REQUIREMENTS

Possession of the appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

Correct English usage, spelling, grammar and punctuation;
Geography of City of Modesto;
Police Department emergency procedures;
Departmental policies and operating procedures.

and

Ability to:

Think clearly, quickly, and accurately in emergencies;
Compile, analyze and report information;
Establish and maintain cooperative relationships with those contacted during the course of work;
Act resourcefully with minimum supervision;
Understand and carry out oral and written instructions;
Read and write at a level required for successful job performance.

EQUIPMENT OPERATOR

DEFINITION

Under general supervision, to operate moderately heavy power-driven public works construction and maintenance equipment; to lead and assist a small crew in carrying out assigned duties; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Positions allocated to this class operate a variety of moderately heavy power-driven public works construction and maintenance equipment as a regular work assignment. When not performing equipment operation duties, incumbents in this class are expected to participate in the work of the crew to which they are assigned. This will involve the performance of duties often assigned to a Public Works Maintenance Worker. An Equipment Operator may be required to function as a leadworker in the absence of the supervisor.

EXAMPLES OF DUTIES

Operates a variety of diesel or gasoline-powered equipment including dump trucks, backhoes, 4 wheel drive scoop loaders, claw loaders, packer trucks, and other moderately heavy equipment; performs equipment operation duties in the maintenance or construction of City public works; assures that all underground utilities lines are located before excavation; excavates sewer and waterlines for repair and backfills trenches and excavations after completion of repairs; may review work on an assigned crew to insure that it is done properly and expeditiously; cleans and makes minor repairs to equipment; performs heavy semiskilled and skilled construction and maintenance work when the nature of the job does not require constant equipment operation; operates heavy equipment on a training basis.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

DESIRABLE QUALIFICATIONS

Knowledge of:

Operation and maintenance of power-driven equipment, including trucks, scoop loaders, backhoes, and related equipment;
Methods, practices and materials used in street, water, sewer, and grounds construction and maintenance;
Uses and purposes of hand tools;
Safe work practices.

and

Ability to:

Operate assigned equipment with skill and safety;

wpc
5/25/79

Perform semiskilled and skilled maintenance and construction work;
Perform heavy manual labor;
Understand and carry out oral and written directions;
Read and write at the level required for successful job performance;
Maintain cooperative working relationships.

and

Experience: Two years of experience in construction and maintenance work, including the operation of moderately heavy power-driven equipment in a training capacity.

wpc
5/25/79

LEGAL SECRETARY I

LEGAL SECRETARY II

DEFINITION

This series specification describes two classes which have the responsibility for performing a variety of legal secretarial and clerical work in the City Attorney's Office; to relieve the attorneys of a variety of administrative and clerical details; and do related work required.

EXAMPLES OF DUTIES

Acts as secretary to an attorney relieving him/her of a variety of administrative and clerical details; prepares documents such as ordinances, resolutions, and release agreements; prepares legal papers relating to civil and criminal proceedings such as complaints, summons, stipulations, dismissals, points and authorities; assists with the timely filing of documents and papers; maintains updated lists of matters pending litigation; processes cases set for trial by preparing memos and letters to litigants; prepares letters of citation for violations to the Municipal Code; takes and transcribes dictation involving legal terminology; independently composes correspondence; checks the suspense file daily and brings matters requiring follow-up to the attention of the attorneys; maintains appointment schedule of an attorney; assists the Secretary to the City Attorney in the maintenance of department files and records; prepares purchase requisitions and orders supplies; processes invoices for payment; assists with the posting of departmental budgetary records; processes incoming mail; assists with updating law library material and maintaining records of library usage; gathers information and prepares a variety of reports.

EMPLOYMENT STANDARDS

Knowledge of:

For Legal Secretary I

Legal terminology, phraseology, documents, and procedures;
Statistical and record keeping methods;
Correct English usage, spelling, grammar, and interpretation;
Modern office methods and procedures.

For Legal Secretary II

In addition to the above, principles of supervision and training.

and

DISTINGUISHING CHARACTERISTICS

Legal Secretary I positions are normally assigned to provide direct secretarial assistance to an attorney or attorneys below the level of Assistant City Attorney. The scope of assignments and delegated responsibilities is broad and extensive, but, less than that of a Legal Secretary II.

wpc
6/6/79

Legal Secretary II is a single position class assigned to the Assistant City Attorney. Incumbents in this position act in the absence of the Secretary to the City Attorney.

Ability to:

For Legal Secretary I

Perform difficult and responsible legal secretarial and clerical work;
Interpret and apply policies, laws, rules, and regulations;
Learn the operations, functions, and procedures of the City Attorney's Office;
Prepare reports and correspondence independently;
Prepare legal documents and case files;
Takes dictation involving a large number of technical legal terms at a speed of 90 words per minute and transcribe it accurately;
Type at a speed of 50 words per minute from clear copy;
Establish and maintain cooperative relationships with those contacted during the course of work.

For Legal Secretary II

Type at a speed of 60 words per minute from clear copy.
In addition to the above abilities, ability to supervise and train subordinate personnel.

and

Experience:

For Legal Secretary I

Two years of increasingly responsible secretarial and clerical experience, including one year in a legal office.

For Legal Secretary II

Three years of increasingly responsible secretarial and clerical experience, including two years in a legal office.

wpc
6/6/79

MICROFILM AND GRAPHICS TECHNICIAN I

DEFINITION

Under general supervision, to operate and perform routine maintenance on microfilm equipment; to review and edit processed records; to assist in preparing records for microfilming; to destroy copied records; and to do related work as required.

EXAMPLES OF DUTIES

Prepares records for microfilming; operates microfilm equipment, noting that records are in proper sequence; processes film, including the mixing of chemicals and maintaning of proper temperature; reviews processed film for defects, refilming necessary records and splicing them into proper sequence; destroys recorded records after they have been properly microfilmed and edited; jackets completed records and cuts film in the correct areas; maintains a proper filing system for completed records; tabs and identifies completed records; works with departmental personnel on microfilming processes and problems; operates other duplicating equipment and collates materials; performs a variety of clerical work.

DESIRABLE QUALIFICATIONS

Knowledge of:

- Microfilming processes and equipment, including proper developing methods;
- Procedures for editing and splicing completed records;
- Filing methods and procedures:
- Modern office practices and procedures.

and

Ability to:

- Skillfully operate microfilming and developing equipment;
- Perform routine maintenance on microfilming and related equipment;
- Edit records;
- Maintain accurate filing systems for access to records;
- Operate a variety of office duplicating equipment;
- Work with other City personnel on microfilming processes and problems;
- Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

One year of general clerical experience, preferably including some experience operating microfilming equipment.

wpc
6/6/79

PERSONNEL CLERK

DEFINITION

Under general supervision, to perform clerical duties in the administration of the City's personnel program; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the entrance level for a person possessing basic secretarial and clerical skills to learn the duties and procedures that relate to the Personnel Office. Incumbents normally will be in training to learn and perform the duties of Senior Personnel Clerk.

EXAMPLES OF DUTIES

Answers the telephone and waits on City employees and the general public to give information regarding City personnel rules, regulations and procedures, including deferred compensation, retirement, group health and life insurance, and employee benefits and examinations; prepares personnel files and indoctrinates new employees; prepares personnel actions and adjusts records when employees change status, such as promotion, reclassification, transfer, or termination; notifies applicants and eligibles of testing dates and results; prepares examination materials for written, oral, performance and other examinations; assists with proctoring of written and performance tests; keeps department payroll and orders office supplies; sets meetings, and/or prepares agenda materials for Personnel Commission, Affirmative Action Committee, and Training Committee meetings; assists with coordination of Annual Service Awards Program; prepares affirmative action statistics and monthly activity reports; handles written verifications of employment; types job announcements, letters, memorandums, and other material from rough draft or notes; receives, sorts and distributes incoming and outgoing departmental mail; sorts and files documents and records according to predetermined classifications; performs relief to Front Desk Telephone/Receptionist, as assigned.

EMPLOYMENT STANDARDS

Knowledge of:

Correct English usage, spelling, grammar, and punctuation;
Filing procedures;
Arithmetic;
Receptionist and telephone techniques;
Standard office machines;
Office procedures and practices.

and

wpc
6/1/79

Ability to:

Perform clerical work of average difficulty, including compiling data for reports;
Make arithmetical calculations;
Operate office appliances;
Understand and carry out oral and written directions;
Type at a speed of not less than 45 words per minutes from clear copy;
Work cooperatively with others.

and

Experience:

One year of experience in secretarial, bookkeeping or general clerical work.

PERSONNEL MANAGER

DEFINITION

Under administrative direction, to plan, coordinate and administer City programs in personnel, training, and affirmative action; to develop information and present recommendations to the Director of Management Services; and to do related work as required.

EXAMPLES OF DUTIES

Confers with and provides information and advice to the Director of Management Services and department heads concerning personnel needs, staffing requirements, and personnel policies and programs; supervises and assists in recruiting, interviewing, and testing applicants; assists in administering the classification and pay plan; prepares classification and salary studies; prepares drafts of reports, special studies, memoranda and letters for the Director of Management Services; assists in administration of the City's personnel policies, rules, regulations and classifications; maintains and revises procedures and records relating to the central personnel functions including personnel files, performance evaluations, service awards and suggestion system; counsels employees and supervisors on personnel problems; participates in the meet and confer process; acts as liaison between the City and insurance companies on group insurance; develops and administers City affirmative action programs; develops a variety of information and prepares reports and recommendations for the Director of Management Services.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

- Principles and practices of public personnel administration, training and affirmative action;
- Principles of job analysis and position classification;
- Principles and practices of public administration, program organization and management;
- Basic statistical methods;
- Report writing and research methods;
- Interviewing techniques;
- Principles of supervision and training.

and

Ability to:

Plan, coordinate, and administer City programs in personnel, training and affirmative action;
Assume responsibility for and provide supervision to specific personnel functions;
Effectively communicate with administrators, employees, and the public in group meetings and discussions;
Conduct and secure information from personal interviews;
Analyze situations accurately and to recommend an effective course of action;
Interpret rules, laws and policies and apply them with good judgment;
Make surveys and prepare clear and concise oral and written reports;
Establish and maintain cooperative relations with departmental representatives, employees and the public;
Supervise and train subordinate personnel.

Experience:

Four years of public personnel experience on a professional level with a minimum of one year of supervision of a personnel office or a major division or section of such an office.

and

Education:

Graduation from an accredited four-year college or university with a degree in public administration, personnel administration or a closely related field. A Master's Degree may be substituted for one year of experience, except for the one year of supervisory experience.

PERSONNEL TECHNICIAN

DEFINITION

Under general supervision, performs technical personnel work in the areas of recruitment, examination, training and other related work as required.

DISTINGUISHING CHARACTERISTICS

This is a bridge class between clerical and analyst level responsibilities in the City Personnel Office. Incumbents are expected to perform routine technical duties in recruitment and examination and are eligible to compete for promotion to Senior Personnel Technician.

EXAMPLES OF DUTIES

Provides information and interpretation to City employees and the general public regarding City personnel rules, regulations and procedures; prepares and conducts recruitment campaigns and furnishes appropriate information to interested parties regarding City openings; monitors and furthers Affirmative Action efforts in the area of selection and recruitment; prepares job announcements and composes and places orders for newspaper, trade journal, radio, and other types of advertising; orders and prepares examination materials for written, oral, performance and other examinations; proctors, scores, and recommends pass points on exams; contacts and schedules qualified persons to serve on oral board appraisal panels in the evaluation of candidates; prepares eligible lists for approval of the Director of Personnel; conducts special surveys and projects; gathers and analyzes information for salary and fringe benefit studies; may assist in City's in-service training and employee orientation programs; performs other Personnel Clerk duties, as assigned, on a relief basis.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of recruitment and selection in a public setting;
Principles of Equal Employment Opportunity and Affirmative Action;
English usage, spelling, grammar, and punctuation;
Filing procedures;
Receptionist and telephone techniques;
Standard office machines;
Office procedures and practices.

wpc
6/1/79

and

Ability to:

Interpret rules, laws and policies and apply them with good judgment;
Perform complex clerical duties rapidly and accurately, including computation of data for reports;
Compile and analyze information regarding existing procedures;
Express ideas clearly and concisely in oral and written communications;
Initiate correspondence and telephone communications concerning routine decisions;
Type from clear copy accurately enough to meet job standard requirements;
Establish and maintain records and files;
Establish and maintain cooperative relationships with those contacted during the course of the work.

and

Experience:

Three years of responsible secretarial, bookkeeping, and general clerical experience, preferably with two years of experience in a personnel office.

Four years completed at an accredited college or university may be substituted for two years of the required experience, provided that there is upper-division course work in industrial relations, personnel or public administration, industrial psychology or other closely related fields.

PUBLIC WORKS LEAD WORKER

DEFINITION

Under general supervision, to serve as lead worker and participate in the work of a small crew involved with water maintenance or construction, maintaining and patching streets, placing and finishing concrete; or sewerage maintenance and construction; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

Incumbents whose positions are allocated to this class are assigned the more difficult and complex tasks in water maintenance and construction, street repair, concrete work, and sewerage maintenance and construction. Also, they provide lead supervision to a small crew of other employees.

EXAMPLES OF DUTIES

Leads and assists a crew in breaking up concrete or asphalt and repairing streets and sidewalks by patching with asphalt or pouring concrete; operates patch trucks, scoop loaders, and other moderately heavy power-driven equipment; builds and places forms, mixes, pours, and finishes concrete to repair or build sidewalks and curbing; supervises and works with sewerage maintenance crews involved with the vacuum truck, hydraulic cleaning truck, TV monitoring and lift station maintenance; supervises and works with water maintenance crews involved with water valve maintenance, water service construction and maintenance and water main construction and maintenance; may perform heavy semi-skilled and skilled construction and maintenance work; insures that safe operating practices are followed; performs minor maintenance and repair to assigned equipment; checks and maintains time sheets and records of materials used; assists in estimating materials and time needed for projects.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

The operation and maintenance requirements of trucks and other moderately heavy power-driven equipment, tools, materials, procedures, and equipment used in street, sidewalk, sewerage and domestic water maintenance and repair work;
Principles of supervision and training; safe work practices and procedures.

and

wpc
6/6/79

Ability to:

Supervise the work of a crew engaged in equipment operation and street, sidewalk, sewerage and domestic water maintenance and repair work;
Perform highly skilled maintenance and repair assignments;
Perform heavy manual labor;
Operate a variety of power-driven equipment;
Provide training to less experienced employees;
Read and interpret work plans and blueprints;
Understand and carry out oral and written directions;
Keep records and make reports;
Adapt to changing safety requirements;
Establish and maintain cooperative working relationships with those contacted in the course of work.

and

Experience:

Three years of increasingly responsible experience in street, sewerage, water or building maintenance and construction work.

PUBLIC WORKS MAINTENANCE WORKER II

DEFINITION

Under general supervision, to skillfully operate and maintain specialized City equipment; to install, maintain and repair a variety of equipment, utilities and facilities; and do related work as required.

DISTINGUISHING CHARACTERISTICS

This class is distinguished from the class of Public Works Maintenance Worker I in that the incumbents are regularly assigned tasks requiring a greater degree of skill and more independent responsibility in a specialized area. Incumbents normally will not perform all of the duties outlined below.

EXAMPLES OF DUTIES

Inspects, maintains and operates a variety of motorized equipment, such as service vehicles, vacuum trucks, skip loaders, and sewer cleaning equipment; installs and repairs water services, mains, and valves; reads and repairs water meters; checks and resolves service problems; turns water services on and off; installs and repairs sewer lines; checks and cleans sewer lines; repairs sewerage facilities; cuts and removes concrete and asphalt; builds forms for concrete work; places and finishes concrete; performs skilled welding; repairs, maintains, and paints City facilities; responds to emergency calls; and assists in training newly assigned personnel.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

DESIRABLE QUALIFICATIONS

Knowledge of:

- Methods, tools, equipment and materials used in the repair and maintenance of City equipment and facilities;
- Safe working practices;
- Local geography;
- The operation of air compressors and electrical motors;
- Various motorized equipment.

and

Ability to:

- Operate specialized equipment, electrical motors, and air compression equipment;
- Do preventive maintenance on electrical motors, engines, pumps, compressors, and other power driven equipment;

wpc
6/6/79

Follow oral and written instructions of a specialized nature; Maintain a cooperative working relationship.

and

Experience:

One year of experience in maintenance and construction work comparable to that of a Public Works Maintenance Worker I in the City of Modesto.

wpc
6/6/79

SECRETARY TO THE CITY ATTORNEY

DEFINITION

Under direction, to perform responsible and confidential legal secretarial work for the City Attorney; to relieve the City Attorney of a variety of administrative and clerical details; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

The position allocated to this class exercises a considerable degree of initiative, tact, and mature judgment in performance of a variety of legal secretarial duties for the City Attorney. Duties are performed under minimal supervision and require a comprehensive knowledge of the policies and procedures of the City Attorney's Office.

EXAMPLE OF DUTIES

Acts as confidential secretary to the City Attorney and relieves him of a variety of administrative and clerical details; prepares resolutions and ordinances for City Council meetings or assigns them to other personnel; prepares amendments to the Municipal Code in proper form; prepares agendum and agenda materials on pending Council matters for the City Attorney; indicates the disposition of matters and prepares documents for items set for future meetings; drafts documents resulting from appeals to the Council; provides information to citizens making inquiries to the City Attorney regarding Municipal Code violations and refers them for legal opinions when necessary; establishes and maintains a filing system for the City Attorney; takes and transcribes dictation, prepares and types legal correspondence, petitions, franchises, agreements, and briefs; prepares pleadings, motions, and other legal documents; independently prepares correspondence including that going to title companies, requiring the enclosure of proper legal documents; writes to insurance companies requesting proper certificates and bonds for public works contracts; prepares civil and criminal complaints; processes subdivision agreements; maintains a criminal calendar for Municipal Code violations; maintains records of claims filed against the City noting dates of loss, date of filing, and amounts involved; notifies insurance carriers of claims and related information; independently gathers information for a variety of reports and studies; arranges for meetings of a variety of special committees, attends meetings, taking and transcribing minutes; maintains the records on use of the law library; determines budgetary expenditures for the office; orders equipment and supplies; maintains an appointment calendar and schedules appointments for office staff; arranges for attendance at conferences or out of town meetings; acts as a notary public; supervises other secretarial and clerical staff in the City Attorney's Office.

EMPLOYMENT STANDARDS

Knowledge of:

- Operation, procedures, and functions of the City Attorney's Office;
- Legal terminology, phraseology, documents, and procedures;
- Statistical and record keeping methods;
- Correct English usage, spelling, grammar, and punctuation;
- Modern office methods and procedures, including business correspondence, filing, and standard office equipment operation;
- Principles of supervision and training.

and

Ability to:

Perform difficult and responsible legal secretarial and clerical work;
Interpret and apply policies, laws, rules and regulations;
Take stenographic notes at meetings and conferences and prepare clear and concise reports;
Prepare reports and correspondence independently;
Prepare legal documents and case files;
Take dictation involving a large number of technical legal terms at a speed of 90 words per minute and transcribe it accurately;
Type at a speed of 60 words per minute from clear copy;
Supervise the work of subordinate personnel;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

Four years of increasingly responsible legal secretarial and clerical experience.

wpc
6/6/79

SECRETARY I
SECRETARY II

DEFINITION

This series specification describes two Secretary classes which have responsibility for performing a variety of secretarial and clerical work for City administrative personnel. Positions are responsible for relieving administrators of a variety of administrative and clerical details.

DISTINGUISHING CHARACTERISTICS

Secretary I positions are normally assigned to provide direct secretarial assistance to an administrator below the department head level. The scope of assignments and delegated responsibilities is broad and extensive, but, less than that of positions allocated to the Secretary II class. One position is allocated as support to the Secretary to the City Manager and department secretary in Management Services.

Secretary II positions are distinguished by assignment to work for administrators which are at the department head level. They are further distinguished by the scope of assignments, extent of delegated administrative responsibilities and exercise of supervisory responsibilities over subordinate personnel.

EXAMPLES OF DUTIES

Takes and transcribes dictation, and types a variety of correspondence, memoranda, reports, and other materials; takes and transcribes minutes from meetings of a variety of commissions, boards, and committees as required; maintains complex filing systems in conformance with central file index systems; approves designations of all filing; prepares or assists in the preparation of legal notices and applications for such items as rezonings, use permits, resolutions, and other documents; reviews and checks documents, records, and forms for accuracy, completeness, and conformance to applicable rules and regulations; reviews reports and maintains records of expenditures; assists in preparing budget estimates; composes correspondence and prepares news releases and other public information documents; gives out information in person or by telephone where judgment, common knowledge and interpretation of departmental and City policies and regulations are necessary; receives complaints and exercises judgment in determining proper course of action; receives, opens and distributes mail; identifies and refers matters to the assigned administrator in order of priority; receives visitors, sets up appointments, screens visitors and telephone calls and refers to appropriate staff members; may supervise, assist, evaluate, and train subordinate clerical personnel; may make recommendations on clerical appointments and improved office procedures; collects and compiles statistical and financial data and other information for inclusion into special and periodic reports; may have responsibility for preparation of some reports.

wpc
6/6/79

EMPLOYMENT STANDARDS

Knowledge of:

For Secretary I:

Modern office practices and procedures;
Business letter writing and forms;
Correct English usage, spelling, grammar, and punctuation;
Modern filing and indexing methods;
Basic methods used in financial and statistical record keeping;
Organization, functions, and purposes of the department or division where assigned.

For Secretary II:

In addition to the above knowledges, principles of supervision and training.

and

Ability to:

For Secretary I:

Perform responsible typing, secretarial, receptionist, and clerical work involving the use of independent judgment;
Interpret and apply policies, laws, rules and regulations;
Compose correspondence on own initiative;
Carry out assignments with minimal general supervision;
Prepare reports with accuracy and speed;
Make arithmetical calculations with speed and accuracy;
Meet the public tactfully and courteously and answer policy questions in person and over the telephone;
Establish and maintain cooperative relationships with those contacted during the course of work;
Take dictation at a speed of 90 words per minute and transcribe it accurately;
Type at a speed of 50 words perminute from clear copy.

For Secretary II:

Type at a speed of 60 words per minute from clear copy;
In addition to the above abilities, ability to supervise subordinate personnel.

and

Experience:

For Secretary I:

Two years of increasingly responsible secretarial and clerical experience involving frequent contact with the public.

For Secretary II:

Three years of increasingly responsible secretarial and clerical experience involving frequent contact with the public.

SENIOR PERSONNEL CLERK

DEFINITION

Under direction, to perform complex clerical duties in the administration of the City's personnel programs; and to do related work as required.

DISTINGUISHING CHARACTERISTICS

This is a journey level classification which normally would be filled by advancement from Personnel Clerk. The incumbent is responsible for training and assigning work to those in the class of Personnel Clerk.

EXAMPLES OF DUTIES

Performs complex clerical assignments in the City's Personnel programs; prepares eligibility lists and notifies eligible candidates; prepares personnel files and indoctrinates new employees; prepares personnel actions and adjusts records when employees change status, such as promotion, reclassification, transfer, or termination; counsels employees on separation procedures; answers questions and maintains liaison with the retirement plan, medical, life and dental insurance companies, preparing necessary forms and routine reports; sets meeting, takes action minutes and prepares agenda material for the Deferred Compensation and Suggestion Award Committee meetings; coordinates annual service awards program; prepares monthly personnel actions and monthly activity reports; types job announcements, letters, memorandums, and other material from rough draft or notes; keeps department payroll and orders office supplies; receives, sorts and distributes incoming and outgoing departmental mail; sorts and files documents and records according to predetermined classifications; answers the telephone and waits on City employees and the general public to give information regarding City personnel rules, regulations and procedures, including deferred compensation, retirement, group health and life insurance, employee benefits and examinations; schedules attendance and prepares materials for employee training and orientation programs, as assigned.

EMPLOYMENT STANDARDS

Knowledge of:

City of Modesto Personnel rules and regulations;
City of Modesto classification and salary plan;
Correct English usage, spelling, grammar, and punctuation;
Filing procedures;
Arithmetic;
Receptionist and telephone techniques;
Standard office machines;
Office procedures and practices.

and

wpc
6/1/79

Ability to:

Perform complex clerical duties rapidly and accurately, including compiling data for reports;
Make arithmetical calculations;
Operate office appliances;
Understand and carry out oral and written directions;
Type at a speed of not less than 50 words per minute from clear copy;
Take dictation and transcribe it accurately enough to meet job standard requirements;
Interpret and apply personnel, deferred compensation and insurance rules and regulations;
Initiate correspondence and telephone communications concerning routine decisions;
Qualify and maintain a Notary Public license;
Establish and maintain cooperative relationships with those contacted during the course of the work;
Assign work and supervise training of subordinate personnel.

and

Experience:

Three years of responsible secretarial, bookkeeping or general clerical experience, including one year in a personnel office.

wpc
6/1/79

SENIOR PERSONNEL TECHNICIAN

DEFINITION

Under direction, performs technical personnel work in the areas of recruitment, examination, salary and fringe benefits, training, and other related work as required.

DISTINGUISHING CHARACTERISTICS

This classification differs from the Personnel Technician chiefly in terms of degree of supervision and difficulty of assignments. Incumbents are expected to have mastered the techniques of routine personnel work, and are given the opportunity to exercise considerable independent judgment.

EXAMPLES OF DUTIES

Confers with senior Management Services staff members and administrators from other departments regarding needs for filling new and vacant positions; prepares and conducts recruitment campaigns and furnishes appropriate information to interested parties regarding City openings; monitors and furthers Affirmative Action efforts in the area of selection and recruitment; prepares job announcements and composes and places orders for newspaper, trade journal, radio, and other types of advertising; orders, analyzes, and prepares examination materials for written, oral, performance and other examinations; reviews and approves applications for employment; proctors, scores, and recommends pass points on exams; sits on oral board appraisal panels in the evaluation of candidates; prepares eligible lists for approval of the Director of Personnel; studies procedures and forms related to recruitment and testing and makes recommendations for changes when necessary; prepares city employee newsletter; prepares reports for the Personnel Manager; conducts special surveys and projects; gathers and analyzes information for salary and fringe benefit studies; may assist in City's in-service training and employee orientation programs; trains and assigns work to subordinate employees.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

- Fundamental principles and practices of public personnel administration;
- Laws, rules and regulations affecting the City's personnel program;
- Principles of recruitment and selection in a public setting;
- Principles of Equal Employment Opportunity and Affirmative Action;
- Basic statistical methods;

wpc
6/1/79

Interviewing techniques;
Principles of supervision and training;
English usage, spelling, grammar, and punctuation.

and

Ability to:

Interpret rules, laws and policies and apply them with good judgment;
Perform technical personnel work, especially in the area of recruitment, selection, and salary and benefit surveys;
Compile and analyze information regarding selection procedures;
Express ideas clearly and concisely in oral and written communications;
Establish and maintain cooperative relationships with those contacted during the course of the work.

and

Experience:

Four years of responsible experience in a personnel office, with one year in recruitment and selection.

Four years completed at an accredited college or university may be substituted for two years of the required experience, provided that there is upper-division course work in industrial relations, personnel or public administration, industrial psychology, or a closely related field. A Master's degree from an accredited college or university with major emphasis in industrial relations, personnel, business or public administration will be accepted as a substitute for the required experience.

WORD PROCESSING TRAINEE

DEFINITIONS

Under supervision, to type less varied and complex documents on automated Word Processing equipment in a central word processing facility and do related work as required.

DISTINGUISHING CHARACTERISTICS

This is the entry level classification, where incumbents are assigned to the Word Processing Center to learn to operate all of the equipment. They are assigned also to other City offices to replace other clerical and secretarial employees temporarily absent. Incumbents will be required to serve a one year probation. When this is completed satisfactorily, incumbents will be promoted to the next higher class of Word Processing Technician I.

EXAMPLES OF DUTIES

Operates Word Processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; logs all incoming and outgoing work; fills clerical and secretarial positions in other City offices on temporary assignments; maintains security of confidential information.

EMPLOYMENT STANDARDS

Knowledge of:

- Office methods, practices, and procedures;
- English usage, spelling, grammar, punctuation, and vocabulary.

Ability to:

- Organize work;
- Type at a speed of 60 words per minute from straight copy;
- Apply principles of good English grammar;
- Spell correctly;
- Transcribe at 30 net words per minute;
- Understand and carry out oral and written instructions;
- Establish and maintain cooperative working relationships;
- Present a pleasing personality and manner;
- Proofread own material.

Education:

Equivalent to graduation from high school.

Experience:

One year of experience in typing and general clerical work.

WORD PROCESSING TECHNICIAN I
WORD PROCESSING TECHNICIAN II

DEFINITION

Under general supervision, to type varied and complex documents on automated Word Processing equipment in a central word processing facility and do related work as required.

DISTINGUISHING CHARACTERISTICS

Word Processing Technician I is the journey level class which would normally be filled by advancement from the lower class of Word Processing Trainee.

Word Processing Technician II is a single-position class that performs training and supervises the central word processing facility in the absence of the Word Processing Supervisor.

EXAMPLES OF DUTIES

Operates Word Processing equipment in transcribing from recorded dictation or handwritten drafts, memoranda, letters, charts, reports and special forms; proofreads work for text content, spelling, punctuation and grammar; logs all incoming and outgoing work; maintains security of confidential information.

EMPLOYMENT STANDARDS

Knowledge of:

City of Modesto Word Processing Center procedures and Practices;
Magnetic keyboards;
Office methods, practices, and procedures;
English usage, spelling, grammar, punctuation, and vocabulary.

Ability to:

For Word Processing Technician I

Organize work;
Type at a speed of 60 words per minute from straight copy;
Apply principles of good English grammar;
Spell correctly;
Transcribe at 30 net words per minute;
Understand and carry out oral and written instructions;
Establish and maintain cooperative working relationships;
Present a pleasing personality and manner;
Proofread own material.

For Word Processing Technician II

In addition to the above abilities, ability to train and supervise subordinate personnel.

Experience:

For Word Processing Technician I

One year experience as a Word Processing Trainee with the City of Modesto.

For Word Processing Technician II

One year experience as Word Processing Technician I

or

Two years of experience operating a magnetic keyboard.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-639

A RESOLUTION AMENDING SECTION 13.1 RELATING TO HOURS OF WORK, SECTION 13.2 RELATING TO OVERTIME, SECTION 13.4 RELATING TO VACATIONS, AND SECTION 13.5 RELATING TO SICK LEAVE, OF THE PERSONNEL RULES.

WHEREAS, Section 1202 of Article XII of the Charter of the City of Modesto provides that the Personnel System provided by said Article shall be implemented by such rules and regulations governing the administration thereof as are adopted by the City Council upon recommendation of the City Manager, and

WHEREAS, the City Manager has recommended an amendment to Section 13.1 relating to hours of work, Section 13.2 relating to overtime, Section 13.4 relating to vacations, and Section 13.5 relating to sick leave, and

WHEREAS, the City Council has reviewed the amendments to Section 13.1, 13.2, 13.4 and 13.5 of the Personnel Rules as recommended by the City Manager and finds that said proposed amendments promote the purposes and objectives of the Personnel System,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Section 13.1 of the Personnel Rules be amended to read as set forth on Exhibit "A" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

SECTION 2. That Section 13.2 of the Personnel Rules be amended to read as set forth on Exhibit "B" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

SECTION 3. That Section 13.4 of the Personnel Rules be amended to read as set forth on Exhibit "C" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

SECTION 4. That Section 13.5 of the Personnel Rules be amended to read as set forth on Exhibit "D" attached hereto and which by this reference is made a part hereof as though set forth in full herein.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

13.1 Hours of Work

(a) All Employees Except Fire Department Personnel. All full-time City employees except designated Fire Department personnel shall, except as otherwise authorized by the City Manager, work a minimum of forty hours a week, normally to be composed of five consecutive days of eight hours each, not including time taken for meals except as noted herein.

The City Manager may designate certain personnel to work a straight eight hour shift and, in these cases, if the nature of the work makes it advisable, he may further direct that time for one meal each full shift may be considered time worked. Employees may be required to report early or to remain after shift for purposes of briefing or instruction, without compensation.

In addition to "on-the-job" training and other training sessions during the normal working shift, employees are encouraged to take such additional training during off-duty time without compensation as is necessary to obtain and maintain high standards of performance, and provide opportunity for advancement within the city service.

The days and hours to be worked by each employee and the type of training shall be established by his department head.

(b) All Fire Department Personnel working in a class for which safety membership in the Public Employees' Retirement System is required shall be on duty an average minimum of fifty-six hours a week (eff. 1-1-72), except that:

1. The Fire Chief and Fire Battalion Chiefs assigned as Fire Marshal, Operations Officer, and Training Officer shall be on duty forty hours per week; and

2. The Fire Chief, with the approval of the City Manager, may designate for the Fire Lieutenant assigned as property control officer a special work week not to exceed fifty-six hours, nor to be less than forty hours per week.

The regular hours and days of duty shall be established by the Fire Chief.

13.2 Overtime

The City Manager shall establish administrative rules governing overtime, including call back and stand-by duty.

13.4 Vacations

(a) Effective July 1, 1979, vacation leave shall be accrued according to the following schedule:

(1) For employees in the classifications of Fire Fighter, Fire Engineer, and Fire Lieutenant, except those employees in the said classifications working a forty hour work week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	24-HOUR SHIFTS Earned Annually	Accrual Per Month
During 1st - 5th	6	1/2
During 6th - 15th	9	3/4
During 16th - thereafter	12	1

(2) For those employees in the classification of Fire Battalion Chief, except those employees in said classification working a forty-hour week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Earned Annually
During 1st - 5th	6 shifts
During 6th - 10th	9 shifts
During 11th - 20th	12 shifts
During 21st - thereafter	15 shifts

(3) For employees working a forty-hour week in the classifications of Fire Fighter, Fire Engineer and Fire Lieutenant, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(4) For all other employees, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Work Days Earned Annually	Work Hours Earned Annually
During 1st - 5th	10	80
During 6th - 10th	15	120
During 11th - 20th	20	160
21st and thereafter	25	200

(b) Vacation credit allowance will be accrued by each City employee from the date of his employment; however, no vacation credit will be considered earned until after one year of continuous service. Employees who terminate with less than one year of service will not be eligible for regular vacation benefits.

(c) During the first two years of employment, an employee may use only the amount of vacation leave accrued at the time vacation begins. During the third and subsequent calendar years, for scheduling purposes, annual vacation accrual may be credited at January 1 and may be used during the year although all of such leave may not be earned at the time vacation begins.

(d) Part-time employees working half-time or more shall be eligible for proportional vacation leave benefits.

(e) If a paid holiday falls during an employee's vacation, it shall not be charged against vacation leave.

(f) Vacations shall be scheduled by the department head, with due regard for the wishes of the employee and with particular regard for the needs of the City.

(g) After one year of service, each employee will be expected to take during each year the vacation to which he is entitled. Accumulation of unused vacation leave shall not exceed twice the employee's annual allowance except when the Director of Personnel deems it to be in the best interest of the City to allow additional unused vacation leave to be accumulated. (amended 12-74)

(h) In the event of termination of City employment of any person who has taken vacation leave prior to the time all of said vacation leave is earned, said employee shall be required to make restitution to the City for that portion of said vacation leave taken, but remaining unearned on the date of termination of his employment. Employees separating from the City service after one year of continuous service shall be paid for unused vacation leave credit.

13.5 Sick Leave

(a) After completing three months of continuous service, all employees except fire department personnel working an average minimum of fifty-six hours a week, shall be entitled to paid sick leave at the rate of one working day for each completed calendar month of service counted from the original appointment. All fire department personnel working an average minimum of fifty-six hours a week shall be entitled to paid sick leave at the rate of twelve (12) hours for each completed calendar month of service, counted from the original appointment. Sick leave credit shall not continue to accrue to an employee absent from duty on any leave other than vacation leave or temporary military leave. All employees except police officers and detectives employed on or after July 1, 1979 and fire department personnel working an average minimum of fifty-six (56) hours a week may accrue unused sick leave time not to exceed two thousand (2000) hours. Police officers and detectives employed on or after July 1, 1979 may accrue unused sick leave time not to exceed one thousand (1,000) hours. All fire department personnel working an average minimum of fifty-six (56) hours a week may accrue unused sick leave time not to exceed three thousand (3000) hours. Sick leave shall be considered a privilege to be allowed only in case of sickness, disability, or quarantine. Paid sick leave shall not be given for any absence from duty due to an injury or illness arising out of or incurred in connection with outside employment. In order to receive sick leave pay, an employee must notify his supervisor or the Personnel Office not later than four hours after the start of his work day. The employee may be required to file a physician's certificate with the Director of Personnel stating the cause of the absence.

(b) Leave for disability covered by workers' compensation shall be charged against the employee's accrued sick leave, and the employee shall receive full pay to the extent of his sick leave credit. Compensation insurance checks shall be endorsed to the City while full salary is paid. When sick leave is exhausted, the employee shall receive the compensation insurance check. Sick leave shall be charged at a rate proportional to the City's actual contribution to the full salary. This provision shall be modified for police and fire personnel to the extent necessary to conform to the provisions of Section 4850 of the State Labor Code. An employee whose sick leave has expired because of an on-the-job injury may be granted additional sick leave upon recommendation of the City Manager and approval of the City Council.

(c) Employees terminating their City employment or being terminated shall forfeit all unused sick leave benefits as of the termination date, except that:

(1) All employees in the classification of Fire Fighter, Fire Engineer, and Fire Lieutenant, who retire on or after July 1, 1975, through the Public Employees' Retirement System after a minimum of five (5) years of continuous employment with the City of Modesto, shall be paid for twenty per cent (20%) of unused sick leave benefit at the time of retirement.

(2) All employees in the classifications of Police Officer and Detective who retire on or after July 1, 1979 through the Public Employees Retirement System, or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment, shall be paid for twenty-five per cent (25%) of the first 1000 hours and twenty per cent (20%) of the second 1000 hours of unused sick leave benefit at the time of retirement or termination.

(3) All other employees who retire on or after July 1, 1978, through the Public Employees' Retirement System, or terminate employment in good standing with the City of Modesto after five (5) years of continuous employment, shall be paid for twenty-five per cent (25%) of unused sick leave benefit at the time of retirement or termination.

(d) Former employees re-employed by the City shall receive no credit for prior service in determination of sick leave or vacation benefits.

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 640

A RESOLUTION ESTABLISHING PROCEDURE FOR PAYMENT OF UNIFORM ALLOWANCE FOR POLICE DEPARTMENT PERSONNEL.

WHEREAS, it is in the City's interest to provide separately from regular salary a reasonable reimbursement for the maintenance of uniforms required in the Police Department,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. UNIFORM ALLOWANCE. Sworn police personnel below the rank of Chief of Police shall be paid Twenty-five and no/100ths ($25.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid quarterly at the end of March, June, September and December each year.

Persons classified as Animal Control Officer shall be paid Ten and no/100ths ($10.00) Dollars per calendar month of service, as a uniform allowance, said sum to be paid as stated in Paragraph 1 of this section.

No uniform allowance shall be paid to Police Department personnel during the first six (6) months of city service, but said allowance shall be withheld and shall accrue to the benefit of said employee to be paid at the end of the second regular full quarter, provided, however, that no payment shall be made to Police Department personnel who terminate employment prior to or at the end of the first six (6) months of service.

For the purpose of computing the above allowances, one-half (1/2) or less of a month shall not be counted.

SECTION 2. The Chief of Police shall submit a signed report to the Director of Finance at the end of each calendar quarter showing, by the month, the names of department personnel eligible to receive the uniform maintenance allowance.

SECTION 3. Uniform allowance shall not accrue to persons not specifically included in this resolution.

SECTION 4. The City Manager is authorized to establish rules for the equitable administration of this allowance.

SECTION 5. This resolution shall become effective on and after July 1, 1979.

SECTION 6. Resolution No. 78-680 adopted on June 26, 1978, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 641

A RESOLUTION AMENDING RESOLUTION NO. 78-915, WHICH RESOLUTION ESTABLISHED A MANDATORY DEFERRED COMPENSATION PLAN FOR CERTAIN EMPLOYEES OF THE CITY OF MODESTO, TO ADD ADDITIONAL EMPLOYEES TO SAID PLAN AND TO PROVIDE FOR ADDITIONAL PAYMENT BY THE CITY INTO SAID PLAN ON BEHALF OF CERTAIN EMPLOYEES.

WHEREAS, this Council, by Resolution No. 78-915, adopted on August 21, 1978, established a Mandatory Deferred Compensation Plan for certain of the employees of the City of Modesto, and

WHEREAS, after meeting and conferring with the Modesto City Employees' Association, this Council has determined that it would be advantageous to both the City and certain of its employees represented by said Association and previously covered by said Mandatory Deferred Compensation Plan for the City to make additional payments into said Mandatory Deferred Compensation Plan on behalf of those employees, and

WHEREAS, after meeting and conferring with the Modesto Police Association, this Council has determined that it would be advantageous to both the City and certain of its employees represented by said Association and not previously covered by said Mandatory Deferred Compensation Plan for the City to include those employees in said Mandatory Deferred Compensation Plan and to make payments into said Plan on behalf of those employees, and

WHEREAS, after considering recommendations made by the City Manager for Management and Confidential Employees, this Council has determined that it would be advantageous to both the City and certain of its Management and Confidential employees, some of whom were previously covered and some of whom were not previously covered by said Mandatory Deferred Compensation Plan, to either

include those Management and Confidential employees not previously covered in said plan or to make additional payments into said plan on behalf of those Management and Confidential employees previously covered by said plan,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1, 2, 3, 5 and subsection C of Section 6 of Modesto City Council Resolution No. 78-915, adopted on August 21, 1978, are hereby amended to read as follows:

SECTION 1. There is hereby established a Mandatory Deferred Compensation Plan (herein referred to as the "Plan") for the hereinafter designated employees of the City of Modesto. Except as otherwise provided herein, said Plan shall be operative effective July 4, 1978.

SECTION 2. Effective July 4, 1978, all employees of the City of Modesto who hold salaried positions of employment, except sworn fire and police officers, shall have 2% of their gross regular salary each pay period deferred until said employee retires or otherwise terminates employment with the City of Modesto. In addition thereto, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan, each pay period for each such employee, an amount equal to 1% of each such employee's gross regular salary. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 3. Effective July 3, 1979, the City of Modesto shall pay into said Mandatory Deferred Compensation Plan each pay period:

A. For each employee of the City of Modesto who holds a salaried position of employment in the classifications of Police Officer and Detective and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the difference between $12.35 and the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees

in said classifications of Police Officer and Detective who subscribe for health insurance coverage for dependents for which the City pays a portion of the premiums. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

B. For each employee of the City of Modesto who holds a salaried position of employment, except employees in the classifications of Fire Fighter, Fire Engineer, Fire Lieutenant, Fire Battalion Chief, Police Officer, Detective and those employees in classifications and positions designated as Management and Confidential,and who subscribes for health and dental insurance under the City of Modesto's health and dental insurance plans and who do not subscribe for health insurance coverage for said employee's dependents under the City of Modesto's health insurance plan, an amount equal to the difference between $33.65 and the total of the premiums paid by the City of Modesto for each of said employees for employee health and dental insurance under the City of Modesto's health and dental insurance plans. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

C. For each employee of the City of Modesto who holds a salaried position of employment in a classification or position designated as Management or Confidential and who does not subscribe for health insurance coverage for said employee's dependents, an amount equal to the amount paid by the City of Modesto toward the cost of health insurance coverage for dependents for the employees in said classifications and positions who subscribe for health insurance coverage for dependents for which the City pays a portion of the premium. Provided, however, that no such employee shall be eligible to receive said amount paid into the Plan by the City of Modesto until he or she has been an employee of the City of Modesto for at least one year.

SECTION 5. The Committee is hereby authorized and empowered to make such determinations regarding payment and distribution of funds to an employee covered by the Plan (hereinafter referred to as "employee") as may be necessary in order to carry out the provisions of the Plan.

SECTION 6 C. Distribution prior to one year of employment. In the event that an employee becomes entitled to distribution of the amounts deferred for his or her benefit prior to one year of employment with the City of Modesto, distribution of the amounts deferred from the employee's gross regular salary shall be made as provided in this section; however, no distribution shall be made to the employee or his beneficiary of the amounts paid into the Plan by the City of Modesto. In such event, such amounts shall be returned to the appropriate fund of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-642

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN AMENDMENT TO CITY HEALTH INSURANCE AGREEMENT TO PROVIDE PREGNANCY COVERAGE FOR DEPENDENTS OF EMPLOYEES

BE IT RESOLVED by the Council of the City of Modesto that effective July 3, 1979, the City of Modesto will amend the City's health insurance plan to provide coverage for pregnancy for dependents of employees covered by the Modesto City Employees' Association Memorandum of Understanding.

BE IT FURTHER RESOLVED that the execution of this amendment to the City's health insurance plan to provide coverage for pregnancy for dependents of employees by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-643

A RESOLUTION AMENDING RESOLUTION NO. 78-906 RELATING TO THE CITY OF MODESTO'S GROUP MEDICAL INSURANCE TO CHANGE THE AMOUNT PAID BY THE CITY TOWARDS EMPLOYEE'S DEPENDENT COVERAGE.

WHEREAS, by Resolution No. 78-906 adopted on August 2, 1978, the Council of the City of Modesto approved renewal of the City's group medical insurance contract with California Blue Shield, and

WHEREAS, effective May 22, 1979, said contract was amended to add pregnancy coverage for employees, which increased the biweekly premium rate per employee from $13.94 to $14.26, and

WHEREAS, said resolution also authorized payment by the City of Modesto of a portion of the premium rate for employee's dependent coverage, and

WHEREAS, after meeting and conferring with the Modesto City Employees' Association and the Modesto Police Association and considering recommendations made by the City Manager for Management and Confidential Employees, the Council desires to amend said Resolution No. 78-906 to provide for an increase in the amounts paid by the City of Modesto toward the premium for an employee's dependent health insurance coverage for employees in certain classifications,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the first, second and fourth Resolved clauses of Modesto City Council Resolution No. 78-906, adopted on August 2, 1978, are hereby amended to read as follows:

"NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that renewal of the City of Modesto's group medical insurance contract (Policy No. 17930) with California

Blue Shield commencing September 1, 1978, on a yearly basis with premium rates commencing September 1, 1978, of $13.94 and May 22, 1979, of $14.26 biweekly per employee and council-member, and premium rates commencing September 1, 1978, of $29.27 and July 3, 1979, of $32.33 biweekly per employee dependent coverage is hereby approved."

"BE IT FURTHER RESOLVED by the Council of the City of Modesto, that it hereby authorizes, commencing September 1, 1978, payment of $13.94 and commencing May 22, 1979, payment of $14.26 as the biweekly premium rate per employee for coverage under the city's group medical insurance contract with California Blue Shield."

"BE IT FURTHER RESOLVED by the Council of the City of Modesto that it hereby authorizes, commencing July 3, 1979, the following payments by the City of Modesto towards the biweekly rate for employee's dependent coverage, under the city's group medical insurance contract with California Blue Shield, when such dependent coverage is carried by an employee of the City for his/her dependents:

(a) Fire Fighters, Fire Engineers, Fire Lieutenants, and Fire Battalion Chiefs	$12.35
(b) Police Officers and Detectives	$21.55
(c) Employees in classifications and positions designated as Management and Confidential	$29.10
(d) All other employees	$27.15

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979,

by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 644

A RESOLUTION AMENDING THE RECORDS MANAGEMENT MANUAL AND RECORDS RETENTION SCHEDULE FOR THE CITY OF MODESTO, DATED SEPTEMBER, 1977.

WHEREAS, by Modesto City Council Resolution No. 77-998 adopted on September 29, 1977, the Council adopted that certain document entitled "Records Management Manual and Records Retention Schedule for the City of Modesto", dated September, 1977, and

WHEREAS, the Council desires to amend that portion of said Manual which relates to the Police Department to add a new category under "Case Investigation" relating to records involving marijuana offenses,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that page 48 of the document entitled "Records Management Manual and Records Retention Schedule for the City of Modesto" which is dated September, 1977, is hereby amended to add the new category of "Marijuana Case Reports Regulated by Health and Safety Code §11361.5" under "Case Investigation" relating to the Police Department, said amended page 48 to be as shown on Exhibit "A" attached hereto, and by this reference made a part hereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

RECORD TITLE AND DESCRIPTION	Microfilm Schedule	Legal Minimum	Total
ADMINISTRATIVE AND STATISTICAL REPORTS (all except the following)		0	T
Bicycle Registration Forms Control		2	5
Criminal Statistics		2	P
Departmental Activity Reports		2	P
Destruction of Records Not Sent to Records Center Notices		P	P
Special Permits and Licenses		2	2
BUDGET CONTROL (all except the following)		2	5
Investigation Fund		2	2
CASE INVESTIGATION (all except the following)		0	T
Alpha Card Index		2	P
Archaic		5	P
Case Report		5	P
Marijuana Case Reports Regulated by Health and Safety Code §11361.5		2	2
Misdemeanor Citation		P	P
Parking Citation		5	5
Traffic Citation		5	5
Warning Citation		2	2
CONFLICT OF INTEREST CODE & STATEMENTS (copies)		4	4
EQUIPMENT INVENTORY AND MAINTENANCE		2	2
INVESTIGATIVE SUPPORT (all except the following)		0	T
Bar, Alcohol Licensed Premises		0	T
Bicycle Registration		2	10
Daily Bulletin		5	P
Intelligence		2	2
Pawn Shop Ticket		0	1
Prisoner Custody, Extradition		5	P
Prisoner Custody, In-State Transportation		2	5
Property, Contraband		5	P
Property, Evidence		5	P
Property, Lost and Found		2	2
Property, Stolen and Embezzled		2	3
Towed Auto		2	2
290 File		5	P
PERSONNEL AND TRAINING (all except the following)		5	P
Citizen Complaint, Unfounded or Exonerated		5	5
Duty Records		2	2

MODESTO CITY COUNCIL
RESOLUTION NO. 79-645

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SUTTER-FIGARO ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Sutter-Figaro Addition Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Sutter - Figaro

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

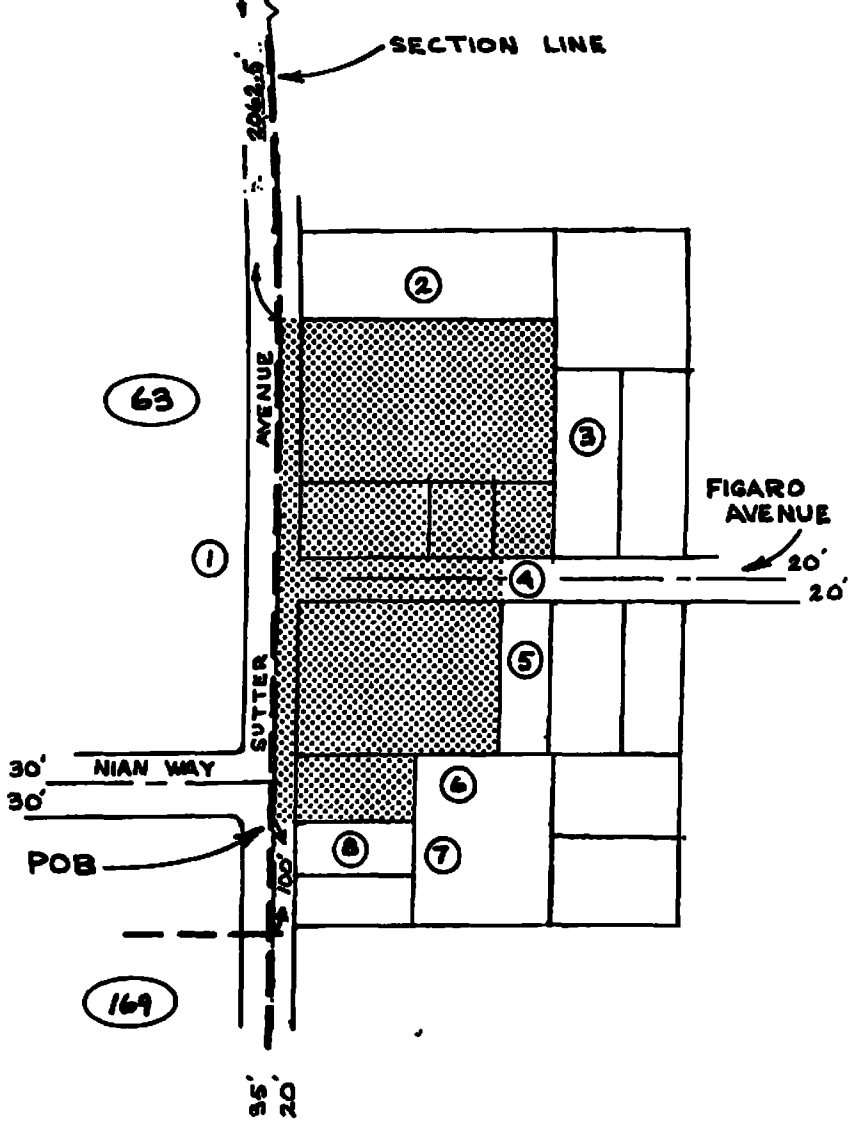
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



1	N	00°	03'	00" W	477.50'
2	N	89°	45'	00" E	264.00'
3	S	00°	03'	00" E	227.00'
4	S	89°	45'	00" W	550.00'
5	S	00°	03'	00" E	185.00'
6	S	89°	45'	00" W	82.00'
7	S	00°	03'	00" E	65.00'
8	S	89°	45'	00" W	182.00'

NORTH
1"=200'

63 MINENI MANOR ADDITION
FILED 7-26-55 INST. 21227

169 BELLENITA ADDITION
FILED 10-19-64 INST. 41437

BASIS OF BEARING: THE BEARING OF N 00°03'00" W FOR THE WEST LINE OF SEC. 5, T.4S., R.9E., M.D.B&M, AS PER MAP FILED 7-26-55 IN VOLUME 6 OF MAPS, PAGE 49, STANISLAUS COUNTY RECORDS.

——— PREVIOUS ANNEXATION BOUNDARY

SUTTER-FIGARO ANNEXATION

2.485 ACRES

REV. 5-11-79
M.KOSTIZ 11-6-78

5-A-389

MODESTO CITY COUNCIL
RESOLUTION NO. 79-646

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR CLAUS-PARKER ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Claus-Parker Addition Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation CLAUS-PARKER ANNEXATION

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None

C/C Agenda June 26, 1979

CITY OF MODESTO

M E M O R A N D U M

Date: June 20, 1979

TO: City Manager

FROM: Director of Planning and Community Development

SUBJECT: PROPOSED CLAUS-PARKER ANNEXATION

Boundaries: See attached map

Type of Annexation: Uninhabited

Size of Annexation: 107.256 acres

Elementary School District: Empire

Response of School District: None

Fire District: Empire

Distance From Nearest City Fire Station: 3.2 miles from Station No. 3

Current Land Use: Agricultural

Anticipated Land Use: Residential

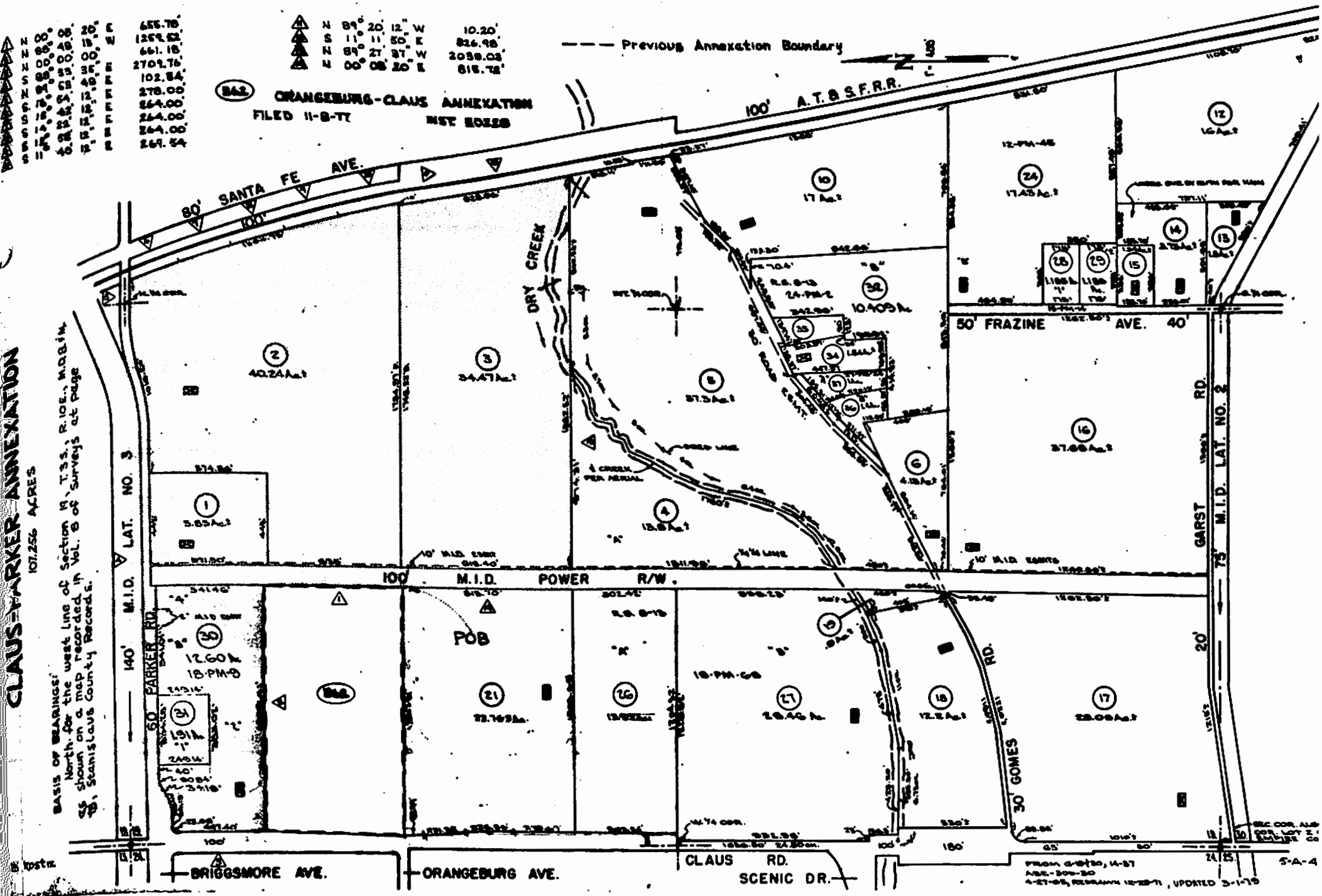
Water and Sanitary Sewer Service Availability: Water and sewer will become available after annexation.

The Planning staff believes that the proposed annexation can be served by all City services and is consistent with the City's annexation policy. It is recommended that the Council adopt a resolution supporting the proposed annexation for submission to the Local Agency Formation Commission. The completed LAFCO questionnaire is attached.

William S. Nichols BH

William S. Nichols

WSN/BH:wpc
Attachment
180/000-00020-3/12/79R


CLAUS-PARKER ANNEXATION
107.256 ACRES
BASIS OF BEARINGS: North, for the west line of Section 19, T.3S., R.10E., M.D.B.M. as shown on a map recorded in Vol. 8 of Surveys at Page 19, Stanislaus County Records.
N 89° 20' 12" W 10.20'
S 11° 11' 50" E 826.98'
N 89° 27' 37" W 2038.03'
N 00° 08' 20" E 815.72'
Previous Annexation Boundary
842 ORANGEBURG-CLAUS ANNEXATION
FILED 11-8-77 INST 50258
100' A.T.&S.F.R.R.
80' SANTA FE AVE.
100'
DRY CREEK
50' FRAZINE AVE. 40'
140' M.I.D. LAT. NO. 3
60' PARKER RD.
100' M.I.D. POWER R/W.
POB
75' M.I.D. LAT. NO. 2
GARST RD.
20'
30' GOMES RD.
CLAUS RD.
SCENIC DR.
BRIGGSMORE AVE.
ORANGEBURG AVE.
40.24 Ac.±
34.47 Ac.±
17 Ac.±
17.45 Ac.±
10.409 Ac.±
37.5 Ac.±
37.66 Ac.±
13.87 Ac.±
12.60 Ac.±
18-PM-8
22.169 Ac.±
28.09 Ac.±
5-A-4

MODESTO CITY COUNCIL
RESOLUTION NO. 79-647

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EXECUTIVE SKYWAYS, INC. FOR A BUDGET-RENT-A-CAR CONCESSION AT THE GENERAL AVIATION SIDE OF THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Executive Skyways, Inc.

for a Budget-Rent-A-Car concession at the general aviation side of the Modesto City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** June, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-648

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE MODESTO CITY SCHOOLS.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, Lakewood Elementary School has been connected to the City's water system since rates for water services to the Modesto City Schools were last established, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Modesto City Schools in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Modesto City Schools' system be established according to the following formula:

A. Domestic Use
K - 6 Schools -- 10 cu. ft./pupil/month
7 - 8 Schools -- 24 cu. ft./pupil/month
High Schools -- 36 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Beard School:

(1)	1 to 300 pupils	$ 155.35
(2)	301 to 600 pupils	$ 186.55
(3)	601 plus pupils	$ 202.15

Enslen School:

(1)	1 to 300 pupils	$ 135.88
(2)	301 to 600 pupils	$ 167.08
(3)	601 plus pupils	$ 182.68

Everett School:

(1)	1 to 300 pupils	$ 237.80
(2)	301 to 600 pupils	$ 269.00
(3)	601 plus pupils	$ 284.60

Fremont School:

(1)	1 to 300 pupils	$ 161.36
(2)	301 to 600 pupils	$ 192.56
(3)	601 plus pupils	$ 208.16

Garrison School:

(1)	1 to 300 pupils	$ 197.40
(2)	301 to 600 pupils	$ 228.60
(3)	601 plus pupils	$ 244.20

Lakewood School:

(1)	1 to 300 pupils	$ 787.04
(2)	301 to 600 pupils	$1,049.00
(3)	601 plus pupils	$1,061.02

Muir School:

(1)	1 to 300 pupils	$ 167.00
(2)	301 to 600 pupils	$ 198.20
(3)	601 plus pupils	$ 213.80

Robertson Road School:

(1)	1 to 300 pupils	$ 858.68
(2)	301 to 600 pupils	$ 882.64
(3)	601 plus pupils	$ 894.65

Rose Avenue School:

(1)	1 to 300 pupils	$ 941.26
(2)	301 to 600 pupils	$ 965.23
(3)	601 plus pupils	$ 977.24

Sonoma School:

(1)	1 to 300 pupils	$ 858.56
(2)	301 to 600 pupils	$ 882.52
(3)	601 plus pupils	$ 894.54

Washington School:

(1)	1 to 300 pupils	$ 330.07
(2)	301 to 600 pupils	$ 361.27
(3)	601 plus pupils	$ 376.87

Roosevelt Junior High School:

(1)	1 to 500 pupils	$ 496.46
(2)	501 to 800 pupils	$ 592.17
(3)	801 to 1,200 pupils	$ 678.54

Grace M. Davis High School:

(1)	1 to 500 pupils	$ 854.56
(2)	501 to 800 pupils	$ 984.16
(3)	801 to 1,200 pupils	$1,110.69
(4)	1,201 to 1,600 pupils	$1,268.77
(5)	1,601 to 2,000 pupils	$1,415.65
(6)	2,001 plus pupils	$1,489.09

Modesto High School:

(1)	1 to 500 pupils	$1,113.74
(2)	501 to 800 pupils	$1,243.34
(3)	801 to 1,200 pupils	$1,369.88
(4)	1,201 to 1,600 pupils	$1,527.96
(5)	1,601 to 2,000 pupils	$1,674.84
(6)	2,001 plus pupils	$1,748.28

Fred C. Beyer High School:

(1)	1 to 500 pupils	$3,674.38
(2)	501 to 800 pupils	$3,803.99
(3)	801 to 1,200 pupils	$3,930.52
(4)	1,201 to 1,600 pupils	$4,088.60
(5)	1,601 to 2,000 pupils	$4,235.48
(6)	2,001 plus pupils	$4,308.92

Pioneer High School:

(1)	1 to 300 pupils	$ 183.02
(2)	301 plus pupils	$ 214.22

Frontier High School:

(1)	1 to 300 pupils	$ 185.38
(2)	301 to 600 pupils	$ 216.58
(3)	601 plus pupils	$ 232.18

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1979, except the flat-rate water service charge for Lakewood Elementary School, shall apply retroactively to November 1, 1978.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Modesto City Schools shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Modesto City Schools and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 75-410 adopted by the City Council on March 24, 1975, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

RESOLUTION NO. 79-649

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE EMPIRE UNION SCHOOL DISTRICT.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, Sipherd Elementary School has been connected to the City's water system since rates for water services to the Empire Union Schools were last established, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Empire Union School District in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Empire Union School District be established according to the following formula:

A. Domestic Use
Schools K - 6 -- 10 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Capistrano School:

(1)	1 to 300 pupils	$ 907.70
(2)	301 to 600 pupils	$ 931.67
(3)	601 plus pupils	$ 943.68

wpc

Sipherd School:

(1)	1 to 300 pupils	$ 956.37
(2)	301 to 600 pupils	$ 980.34
(3)	601 plus pupils	$ 992.35

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1979, except the flat-rate water service charge for Sipherd School, shall apply retroactively to November 1, 1978.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Empire Union School District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Empire Union School District and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 75-413 adopted by the City Council on March 24, 1975, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE SYLVAN UNION SCHOOL DISTRICT.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, there has been a decrease in the area irrigated at Coleman F. Brown School making it desirable to update the charges for water service to that school, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Sylvan Union School District in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Sylvan Union School District be established according to the following formula:

A. Domestic Use
Schools K - 6 -- 10 cu. ft./pupil/month
Schools 7 - 8 -- 24 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Coleman F. Brown School:

(1)	1 to 300 pupils	$1,003.38
(2)	301 to 600 pupils	$1,027.35
(3)	601 plus pupils	$1,039.36

wpc

Sherwood School:

(1)	1 to 300 pupils	$1,006.83
(2)	301 to 600 pupils	$1,030.80
(3)	601 plus pupils	$1,042.81

Standiford School:

(1)	1 to 300 pupils	$1,009.33
(2)	301 to 600 pupils	$1,033.30
(3)	601 plus pupils	$1,045.31

Woodrow Avenue School:

(1)	1 to 300 pupils	$ 55.80
(2)	301 to 600 pupils	$ 87.00
(3)	601 plus pupils	$ 102.60

Somerset Junior High School:

(1)	1 to 500 pupils	$ 409.15
(2)	501 to 800 pupils	$ 507.08
(3)	801 to 1,200 pupils	$ 604.99

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1979.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Sylvan Union School District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Sylvan Union School District and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 75-415 adopted by the City Council on March 24, 1975, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th day of June, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-651

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,000 FROM THE GENERAL RESERVE TO POSTAGE ACCOUNT FOR BULK MAILINGS REQUIRED BEFORE THE END OF THIS FISCAL YEAR

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 101)	$2,000.00
TO:	Postage (201 120 101)	$2,000.00

Additional amount due for the mailing under our bulk mail permit of water bills, mill tax notices, both of which will be mailed on June 29, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 26th **day of** June, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-652

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING TO A DECISION BY THE PLANNING COMMISSION CONCERNING THE TENTATIVE SUBDIVISION MAP FOR THE WILSHIRE HEIGHTS SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 24, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mid-Valley Engineering to a decision by the Planning Commission concerning the tentative subdivision map for the Wilshire Heights Subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-653

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF CURB AND GUTTER ON BRIGGSMORE FROM TULLY TO MCHENRY AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of curb and gutter on Briggsmore from Tully to McHenry Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 24, 1979 at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Cozze
NORRINE COZZE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-654

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE ROTARY MOWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one rotary mower **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 24, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-655

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE COMPANY, INC. FOR THE CONSTRUCTION OF SUBTRUNK SEWER IN CALIFORNIA AVENUE

WHEREAS, Resolution No. 79-528 , adopted by the Council of the City of Modesto on June 5, 1979 , approved the plans and specifications for the construction of subtrunk sewer in California Avenue

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of subtrunk sewer in California Avenue

were opened at 11:00 a.m. on June 26, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Western Pipeline Company, Inc. in the amount of $101,955.00

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Pipeline Company, Inc. in the amount of $101,955.00

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-656

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR CONSTRUCTION OF STORM DRAINAGE FACILITY: TULLY - BRIGGSMORE - WINNING AREA

WHEREAS, Resolution No. 79-526 **, adopted by the Council of the City of Modesto on** June 5, 1979 **, approved the plans and specifications for the** construction of storm drainage facility: Tully - Briggsmore - Winning area **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of storm drainage facility: Tully - Briggsmore - Winning area **were opened at** 2:05 p.m. on June 26, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin in the amount of $48,616.50

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $48,616.50

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-657

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE FOR ROCK, SAND, GRAVEL PRODUCTS FOR 1979-80 FISCAL YEAR

WHEREAS, Resolution No. 79-463 **, adopted by the Council of the City of Modesto on** May 15, 1979 **, approved the plans and specifications for the** purchase of rock, sand and gravel products for the 1979-80 fiscal year **and authorized the calling for bids, and**

WHEREAS, the bids received for the furnishing of rock, sand and gravel products for the 1979-80 fiscal year **were opened at** 2:10 p.m. on June 5, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Flintkote for Item 1 ($6.50/ton); Item 3 ($6.50/ton); Item 4 ($6.50/ton); Item 6 ($4.60/ton) **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Flintkote for Item 1 ($6.50/ton); Item 3 ($6.50/ton); Item 4 ($6.50/ton);and Item 6 ($4.60/ton) **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-658

A RESOLUTION ACCEPTING THE BID OF M.J. RUDDY FOR ROCK, SAND, GRAVEL PRODUCTS FOR 1979-80 FISCAL YEAR

WHEREAS, Resolution No. 79-463 **, adopted by the Council of the City of Modesto on** May 15, 1979 **, approved the plans and specifications for the** purchase of rock, sand and gravel products for the 1979-80 fiscal year **and authorized the calling for bids, and**

WHEREAS, the bids received for the furnishing of rock, sand and gravel products for the 1979-80 fiscal year **were opened at** 2:10 p.m. on June 5, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** M.J. Ruddy for Item 2 ($6.25/ton); Item 5 ($5.00/ton); Item 7 ($7.00/ton) **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of M.J. Ruddy for Item 2 ($6.25/ton); Item 5 ($5.00/ton); Item 7 ($7.00/ton) **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-659

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR FURNISHING ANNUAL REQUIREMENTS OF LIQUID AND EMULSIFIED ASPHALTS

WHEREAS, Resolution No. 79-486 **, adopted by the Council of the City of Modesto on** May 22, 1979 **, approved the plans and specifications for the** purchase of annual requirements of liquid and emulsified asphalts **and authorized the calling for bids, and**

WHEREAS, the bids received for the furnishing of annual requirements of liquid and emulsified asphalts **were opened at** 2:10 p.m. on June 12, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** George Reed, Inc. with an estimated cost of $15,000 and based upon prices in effect at the time of delivery **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. with an estimated cost of $15,000 and based upon prices in effect at the time of delivery **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-660

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 6074 AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction of waterline extension in Block 6074

has been ccmpleted by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated March 27, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Block 6074

be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $4,306.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-661

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN ALMOND STREET

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Almond Street has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated March 27, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Almond Street be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $13,098.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-662

A RESOLUTION DENYING THE APPEAL FILED BY LAURENCE H. MARTIN ON BEHALF OF GUARANTEE SAVINGS AND LOAN FOR AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP TO REZONE FROM MEDIUM DENSITY RESIDENTIAL ZONE, R-2, TO PLANNED DEVELOPMENT ZONE, P-D, PROPERTY LOCATED AT THE SOUTHWEST CORNER OF EAST ORANGEBURG AND OAKDALE ROAD.

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Guarantee Savings and Loan on April 18, 1979, to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, property located at the southwest corner of East Orangeburg and Oakdale Road described as follows:

ALL that certain real property situate in a portion of Lot 9 of the Broughton Colony according the of Offical Map thereof filed in Volume 1 of Maps, at Page 78, Stanislaus County Records, and lying in a portion of the Northeast quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, State of California, described as follows;

BEGINNING at the Northeast corner of said Lot 9, at the intersection of the center line of East Orangeburg Avenue and Oakdale Road; thence South 0°45' East, along said center line of Oakdale Road, 230.00 feet; thence South 89°54'44" West, 250.00 feet; thence North 0°45' West, 230.00 feet, to the center line of said East Orangeburg Avenue; thence North 89°54'44" East, along said center line 250.00 feet to the point of beginning.

CONTAINING: 1.32 acres, and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of May 21, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-132, denied the requested amendment to Section 22-3-9 of the Zoning Map to rezone from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, the property described above located at the southwest corner of East Orangeburg and Oakdale Road in the City of Modesto for the following reasons:

1. A commercial use at this location would contribute towards establishing a commercial strip on Oakdale Road.

2. The proposal for a commercial use does not conform to the General Plan which provides for professional office uses,

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated May 22, 1979, from Laurence H. Martin, on behalf of Guarantee Savings and Loan, to the decision of the Planning Commission denying rezoning from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, of the property described above located at the southwest corner of East Orangeburg and Oakdale Road, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on Tuesday, July 3, 1979, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Laurence H. Martin, on behalf of Guarantee Savings and Loan, to the decision of the Planning Commission denying rezoning from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D, of the property described above located at the southwest corner of East Orangeburg and Oakdale Road in the City of Modesto, should be denied for the reasons set forth in Planning Commission Resolution No. 79-132, and quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Laurence H. Martin, on behalf of Guarantee Savings and Loan, to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-132, denying rezoning from Medium Density Residential R-2, to Planned Development Zone, P-D, of the above described property located at the southwest corner of East Orangeburg and Oakdale Road in the City of Modesto, be denied, for the reasons set forth in Planning Commission Resolution No. 79-132, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Bright

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION: Michael C Herrero
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79- [illegible]

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AMENDMENTS TO THE ZONING REGULATIONS AND SUBDIVISION REGULATIONS OF THE MODESTO MUNICIPAL CODE.

WHEREAS, on July 3, 1979, the City Council introduced Ordinances No. 1849 -C.S. and No. [illegible] C.S. giving approval to a project relating to an Ordinance amending Sections 10-1.03, 10-2.303, 10-2.502, 10-2.502.1, 10-2.602, 10-2.801, 10-2.1510, 10-2.1511, 10-2.1612. 10-2.1618, 10-2.1620, 10-2.2708, 10-2.3502, 10-2.3503, 10-2.3509, and 10-2.3510 of Title X of the Modesto Municipal Code, and adding Sections 10-2.248.1, 10-2.255.2, 10-2.502.2, and 10-2.801.1 thereto relating to the zoning regulations, and amending Section 4-4.404 of Article 4 of Chapter 4 of Title IV of the Modesto Municipal Code relating to Subdivision Regulations, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to ordinances amending Sections 10-1.03, 10-2.303, 10-2.502, 10-2.502.1, 10-2.602, 10-2.801, 10-2.1510, 10-2.1511, 10-2.1612, 10-2.1618, 10-2.1620, 10-2.2708, 10-2.3502, 10-2.3503, 10-2.3509, and 10-2.3510 of Title X of the Modesto Municipal Code, and adding Sections 10-2.248.1, 10-2.255.2, 10-2.502.2, and 10-2.801.1 thereto relating to the zoning regulations and amending Section 4-4.404 of Article 4 of Chapter 4 of Title IV of the Modesto Municipal Code relating to Subdivision Regulations.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember [illegible], who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Gilliland, Lane, Muratore, Pfeifer, Mayor Wiseman

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-664

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (231).

WHEREAS, a verified application for an amendment to Section 19-3-10 of the Zoning Map was filed by Mid-Cal Land Development on April 18, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

All the certain property situate in Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, located in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of said Section 19, thence South 0° 39' 16" East along the West line of Section 19, a distance of 661.18 feet to the true point of beginning of this description; thence continuing South 0° 39' 16" East along the West line of Section 19, a distance of 661.18 feet; thence South 89° 42' 04" East 1257.81 feet; thence North 0° 30' 48" West 655.78 feet; thence North 89° 27' 23" West 1259.52 feet to the true point of beginning of this description.

Containing 18.644 acres

WHEREAS, after a public hearing held on May 29, 1979, and continued to June 4, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposal conforms to the neighborhood prototype of the Modesto Urban Area General Plan.

2. The P-D plan and conditions of approval assure a degree of compatibility concurrent with future development of adjacent property.

WHEREAS, after a public hearing held on July 3, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Mid-Cal Land Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1851-C.S. on the 3rd day of July, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (231).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (231), is hereby approved in accordance with the plan titled "Gold Coast Estates", as amended in red on its face, stamped approved by the Planning Commission on May 29, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above referred to plan which is on file in the office of the Director of Planning and Community Development

2. That prior to occupancy of the premises, a seven-foot high solid decorative masonry wall shall be constructed along the Claus Road frontage of the property.

3. That the developer shall improve Claus Road to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

4. That the developer shall dedicate sufficient right-of-way to complete Claus Road to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

5. That the developer shall construct the extension of East Orangeburg Avenue to the centerline of the adjacent MID right of way to collector street standards prior to occupancy.

6. That the required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

7. That Orangeburg Avenue shall be improved to at least 40-foot part-width collector street standards from Claus Road to Prospect Lane.

8. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

9. That prior to the issuance of a building permit, if the required street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements prior to occupancy.

10. That street barricades shall be constructed at the end of all deadend streets as required by the City Engineer pursuant to improvement plans.

11. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

12. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

13. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

14. That the development shall be served by positive storm drainage as required by the Director of Public Works.

15. That building plans for the dwellings shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

16. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

17. That all signs shall comply with the sign requirements of the R-1 Zone.

18. That prior to the issuance of a building permit for any structure other than model homes, a new subdivision map shall be recorded.

19. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. One hydrant shall be installed and operable prior to occupancy of any structures. All other hydrants shall be installed and operable prior to occupancy of any structures.

20. That the developer shall install landscaping and underground irrigation systems in that portion of the front and sideyards outside of fences or building walls of all corner lots as shown on the plot plan.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (231):

The entire construction program shall be accomplished in one phase, construction to begin on or before January 1, 1980, and completion to be not later than January 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (231) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herron
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-665

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-10 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MID-CAL LAND DEVELOPMENT)

WHEREAS, on July 3, 19 79, the City Council introduced Ordinance No. 1851 C. S. giving approval to a project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (231), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (231).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-[illegible]

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MID-VALLEY INVESTMENT AND DEVELOPMENT COMPANY)

WHEREAS, on July 3, 1979, the City Council introduced Ordinance No. [illegible] -C. S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium High Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 72, by Councilmember Pullilian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Pullilian, Lane, Muratore, Siefkin, Mayor Meusiroen

NOES: Councilmembers: None

ABSENT: Councilmembers: Wright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-667

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 23-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PLANNING COMMISSION INITIATED - GARY DAVIS)

WHEREAS, on July 3, 1979, the City Council introduced Ordinance No. 1853-C.S. giving approval to a project relating to an amendment to Section Map 23-3-9 of the Zoning Map to reclassify certain property from Planned-Development Zone, P-D(170), to Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 23-3-9 of the Zoning Map to reclassify certain property from Planned-Development Zone, P-D(170), to Low Density Residential Zone, R-1, and Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 668

A RESOLUTION GRANTING APPROVAL TO THE MODESTO FARMER'S MARKET ASSOCIATION TO CONDUCT A FARMERS MARKET ON 16TH STREET, BETWEEN H AND I STREETS, IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, the Modesto Farmer's Market Association (hereinafter referred to as "Association"), has filed a request with the City Council for permission to use the street area known as 16th Street, between H and I Streets, in the City of Modesto to conduct a farmer's market to sell fruits, nuts and vegetables to the general public, and

WHEREAS, the Council deems it appropriate to grant approval to the Association to conduct a farmer's market to sell fruits, nuts and vegetables to the general public at the location referred to above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the use by the Modesto Farmer's Market Association of 16th Street between H and I Streets, in the City of Modesto, for a Farmer's Market, subject to the following conditions:

1. The Association may use the street area known as 16th Street, between H and I Streets, in the City of Modesto, commencing Saturday morning, July 7, 1979, and each Saturday thereafter until this resolution is rescinded, as hereinafter provided, between the hours of 6:00 o'clock am and 2:00 o'clock pm, to conduct a farmer's market to sell fruits, nuts and vegetables to the general public. The produce to be sold at said farmer's market shall be sold only between the hours of 7:00 o'clock am and 1:00 o'clock pm each Saturday morning, with the hours between 6:00 o'clock am and 7:00 o'clock am, and 1:00 o'clock pm and 2:00 o'clock pm each Saturday morning to be used for the purpose of setting up and dismantling produce stands, erecting barriers, cleaning the area, etc.

2. The street area known as 16th Street, between H and I Streets may be closed to all traffic except emergency vehicles each Saturday morning between 6:00 o'clock am and 2 o'clock pm commencing July 7, 1979, subject to the approval of the Chief of Police of the City of Modesto. The Association shall furnish its own street barricades for the closing of the area referred to herein.

3. The Association shall obtain a Certified Farmers' Market Certificate in accordance with the provisions of Section 1392.2(a) of the Food and Agriculture Code of the State of California.

4. Only certified producers may sell products at said farmer's market provided for herein.

5. Each certified producer selling products at said farmer's market must obtain a business license in accordance with the provisions of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code, however each such producer shall be exempt from the payment of a business license tax as provided for in Section 6-1.106 of said Municipal Code.

6. The Association shall remove all trash and debris which is generated as a result of the farmer's market from 16th Street, between H and I Streets, in the City of Modesto, and the areas adjacent thereto. The removal of said trash and debris shall be completed by 2:00 o'clock pm each Saturday during the period of time covered by this resolution.

7. The Association shall indemnify and hold harmless the City of Modesto, its officers, agents and employees, from any and all liability, costs, damages, or injuries to persons or damage to property, which may arise out of or in any way be connected with the Association's use, for a farmer's market, of the area known as 16th Street, between H and I Streets, in the City of Modesto, and the areas adjacent thereto.

8. The Association shall furnish to the City Clerk a current and valid certificate of insurance evidencing public liability and property damage insurance as shall protect the Association and its agents and employees from claims for damages for bodily injury and property damage which may arise out of the Association's use for a farmer's market, of the area known as 16th Street between H and I Streets, in the City of Modesto, and the areas adjacent thereto.

The amount of public liability insurance shall be as follows: Public Liability insurance with combined single limits of liability, including products liability coverage, in the amount of Three hundred thousand and no/100ths ($300,000.00) Dollars.

The Association's liability policy, and the valid certificate of insurance which is to be furnished to the City Clerk shall contain contractual liability provisions stating that the policy is extended to cover the liability assumed by the Association under the terms of this resolution, and the liability policy, and the certificate of insurance to be furnished to City, shall not permit cancellation of said insurance unless ten (10) days' prior written notice is furnished to the City Clerk.

BE IT FURTHER RESOLVED that this resolution shall remain in full force and effect until such time as it is rescinded by the City Council.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Association with a copy of this resolution. The Association shall file a written acceptance of this resolution and the conditions set forth herein with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-669

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT OFFER FROM THE U.S. DEPARTMENT OF COMMERCE FOR PARKING GARAGE ON 11TH STREET BETWEEN I AND J STREETS

BE IT RESOLVED by the Council of the City of Modesto that the acceptance of the grant offer from the U.S. Department of Commerce, in the amount of $898,000, covering 50% of the estimated cost, for a parking garage on 11th Street between I and J Streets, be and is hereby approved.

BE IT FURTHER RESOLVED that the execution of the Grant offer by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-670

A RESOLUTION APPROVING THE FINAL MAP OF THE GLENBROOK EAST SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Sutco Construction, Inc., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 12.313 acres, known as the Glenbrook East Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 18th day of June, 1979, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Glenbrook East Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as

required by Section 4-4.604(c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-671

A RESOLUTION OF APPLICATION BY THE COUNCIL OF THE CITY OF MODESTO TO ANNEX CERTAIN TERRITORY, HEREINAFTER DESCRIBED AND DESIGNATED AS THE LANCE-ELLIS ANNEXATION TO THE CITY OF MODESTO; AND AUTHORIZING AND DIRECTING THE CITY CLERK TO SUBMIT SUCH PROPOSAL TO THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That the Council of the City of Modesto, for the reasons hereinafter set forth, hereby proposes proceedings to annex to the City of Modesto all of the territory hereinafter described, in accordance and in compliance with the provisions of the Municipal Organization Act, Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

SECTION 2. That the Council's reasons for proposing said annexation proceedings are as follows: That the annexation of the hereinafter described territory will contribute to the orderly growth of the City and provide proper land use in conformity with the General Plan and the zoning regulations of the City of Modesto.

SECTION 3. That the territory which the Council proposes to annex is hereby identified as the Lance-Ellis Annexation to the City of Modesto as shown on the map attached hereto as Exhibit "A", and said territory consists of all that real property situate in the County of Stanislaus, State of California, more particularly described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwestern corner of the DRY CREEK ADDITION (197), as per description filed October 26, 1966, as Instrument 37059, Stanislaus County Records, said point being the Northwestern corner of the EVERGREEN HEIGHTS Subdivision, as per map filed April 17, 1952, as Instrument 9015, in Volume 17 of Maps, at Page 31, Stanislaus County Records;

1. thence along the existing City Limits and a Southern line of said ADDITION (197), and a Northern line of said subdivision, South 89° 48' 00" East, 659.36 feet;

2. thence continuing along the existing City Limits and a Western line of said ADDITION (197), and an Eastern line of said subdivision, South 00° 36' 00" East, 330.03 feet, to a Southwestern corner of said ADDITION (197), and a Northwestern corner of the EL VISTA-ELLIS ADDITION (357), as per description filed August 16, 1977, as Instrument 11259, Stanislaus County Records;

3. thence continuing along the existing City Limits and the Western line of said ADDITION (357), South 00° 36' 00" East, 181.64 feet;

4. thence continuing along the existing City Limits and the Western line of said ADDITION (357), South 89° 48' 00" East, 5.00 feet;

5. thence continuing along the existing City Limits and the Western line of said ADDITION (357), South 00° 36' 00" East, 83.20 feet;

6. thence continuing along the existing City Limits and the Western line of said ADDITION (357), South 12° 10' 00" West, 52.16 feet;

7. thence continuing along the existing City Limits and the Western line of said ADDITION (357), South 00° 13' 30" West, 14.00 feet, to the Southwest corner of said ADDITION;

8. thence continuing along the existing City Limits and the Northern line of the MORAN ADDITION (102), as per description filed December 24, 1959, as Instrument 37564, Stanislaus County Records, North 89° 46' 30" West, 652.86 feet, to the Northwestern corner of said ADDITION (102), and an Eastern line of the SCENIC-ENCINA ADDITION (315), as per description filed February 27, 1974, as Instrument 33322, Stanislaus County Records;

9. thence continuing along the existing City Limits along an Eastern line of said ADDITION (315), North 00° 36' 00" West, 659.76 feet, to the point of beginning, containing 9.996 Acres, more or less.

SECTION 4. That the Council hereby makes application for and requests that proceedings be taken for annexation of the hereinabove described territory to the City of Modesto.

SECTION 5. That the attached "PLAN FOR PROVIDING SERVICES - _____ LANCE-ELLIS ANNEXATION _____" marked Exhibit "B" is hereby submitted as the plan of the City of Modesto for providing services within the above described territory.

SECTION 6. That the City Clerk of the City of Modesto is hereby authorized and directed to submit to the Local Agency Formation Commission of the County of Stanislaus, State of California, on behalf of the Council of the City of Modesto, this Resolution of Application to annex to the City of Modesto the aforesaid territory in accordance with the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

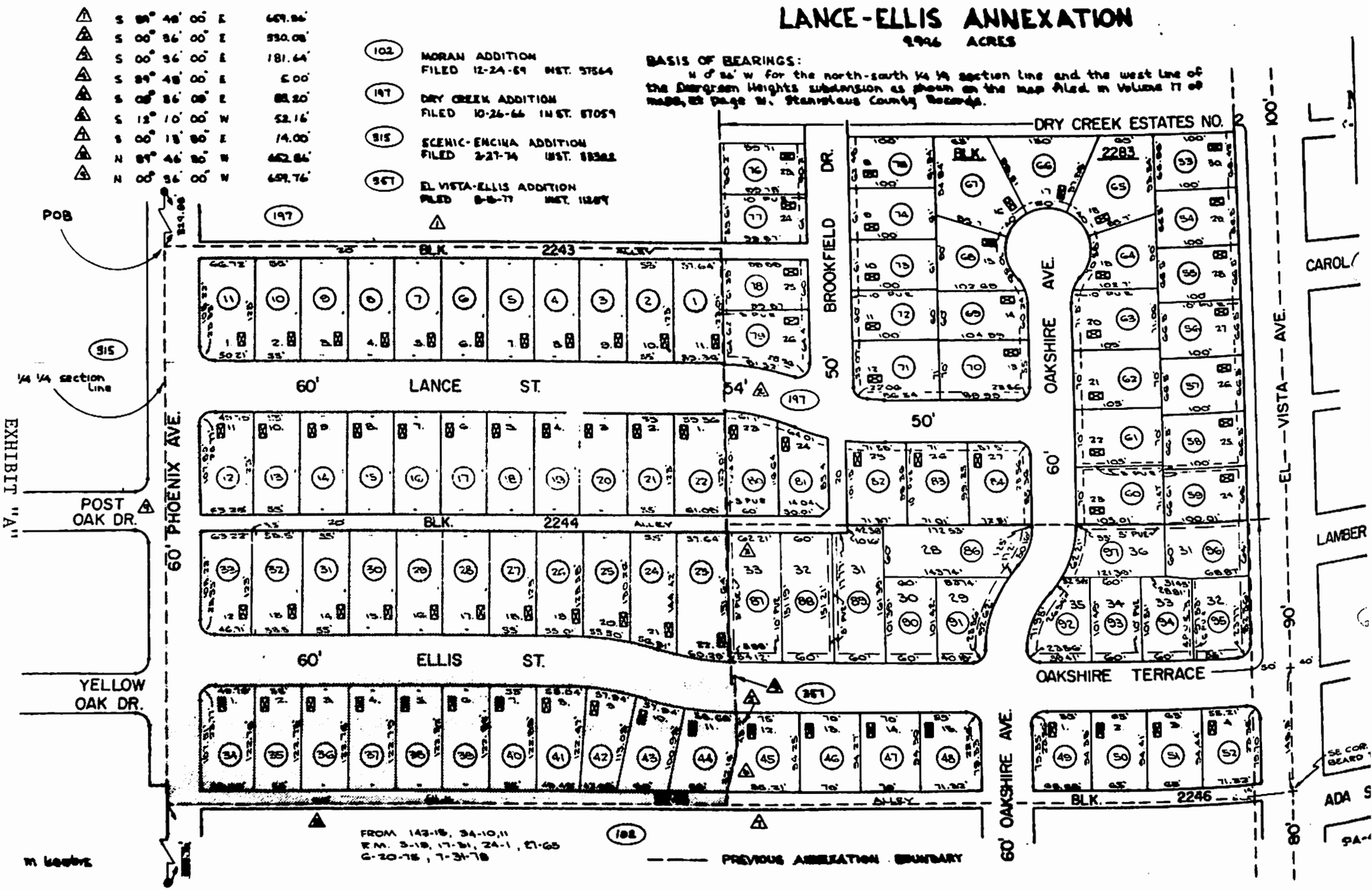
(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Alfred James
Public Works Department


LANCE-ELLIS ANNEXATION
9.996 ACRES
BASIS OF BEARINGS:
N 0° 36' W for the north-south 1/4 1/4 section line and the west line of the Evergreen Heights subdivision as shown on the map filed in Volume 11 of maps, at page 16, Stanislaus County Records.
1 S 89° 48' 00" E 659.84'
2 S 00° 36' 00" E 330.08'
3 S 00° 36' 00" E 181.64'
4 S 89° 48' 00" E 5.00'
5 S 08° 36' 00" E 88.20'
6 S 12° 10' 00" W 52.16'
7 S 00° 18' 00" E 14.00'
8 N 89° 46' 30" W 462.84'
9 N 00° 36' 00" W 659.76'
102 MORAN ADDITION FILED 12-24-69 INST. 57564
197 DRY CREEK ADDITION FILED 10-26-66 INST. 87059
315 SCENIC-ENCINA ADDITION FILED 2-27-74 INST. 88388
357 EL VISTA-ELLIS ADDITION FILED 8-8-77 INST. 113879
DRY CREEK ESTATES NO. 2
BLK. 2283
BROOKFIELD DR.
50'
OAKSHIRE AVE.
60'
OAKSHIRE TERRACE
POB
315
1/4 1/4 section line
EXHIBIT "A"
60' PHOENIX AVE.
POST OAK DR.
YELLOW OAK DR.
BLK. 2243
60' LANCE ST.
54'
197
BLK. 2244
ALLEY
60' ELLIS ST.
357
60' OAKSHIRE AVE.
BLK. 2246
ALLEY
102
FROM 143-15, 34-10,11
R.M. 3-19, 17-31, 24-1, 21-65
C-20-75 ; 7-31-78
PREVIOUS ANNEXATION BOUNDARY
EL VISTA AVE.
CAROL
LAMBER
ADA S

Upon completion of annexation to the City of Modesto, the following services will be made available or extended to properties in the annexation area in the manner indicated:

1. FIRE PROTECTION: Upon annexation the property will be withdrawn from the Empire Fire Protection District and fire protection will be provided by the Modesto Fire Department. Primary fire response would come from Fire Station No. 3 at El Vista Avenue and Edgebrook Drive. This service would be extended upon the effective date of annexation.

2. POLICE PROTECTION: Modesto City Police would assume responsibility for police protection upon the effective date of annexation.

3. GARDEN REFUSE PICKUP: Weekly garden refuse pickup would be extended to the area upon the effective date of annexation. There is no separate charge for this service.

4. SANITARY SEWER SERVICE: Currently 7 of the 44 parcels in the annexation area are connected to the City sewer system; 17 other lots are adjacent to the existing lines and can be connected. These lots would be required to connect to the sewer system within two years after the annexation is effective. The City of Modesto anticipates that an improvement district will be formed and that the sewer will become available to the parcels not adjacent to existing lines within two years after the annexation is effective. The costs of connecting to the sewer may be financed as follows:

   a. Actual construction of sewer laterals where they do not presently exist will be financed by the formation of an improvement district. Financing through improvement district bonds can be for 15 years. A lateral fee is required for the lots adjacent to existing sewer lines but financing of this fee is not available.

   b. Bond redemption fees and subtrunk charges for all lots can be financed by the City of Modesto for a period of two years at 7 percent simple interest. (Payable bimonthly with sewer bill.)

   c. Remaining costs - The cost of actual connection of home to sewer is to be paid as privately arranged by property owner.

   The total cost of connecting to the City sanitary sewer system will vary. For the homes located on Lance Street, the cost will be approximately $1,510. These homes can be served by existing sewer lines. For the remaining homes located on Ellis Street, the cost will be approximately $2,260. For the homes already connected to the sewer, there will be a savings on their service bill amounting to $8.22 annually.

5. WATER: Water service to the area is currently provided by the Del Este Water Company. This service would continue upon annexation.

6. GARBAGE COLLECTION: Garbage is presently collected from the annexation area by the Bertolotti Garbage Company. This company would continue the collection after annexation but at a slightly lower rate under the City franchise. The exact reduction would depend upon the level of service desired. (One-can pickup or two-can pickup.)

EXHIBIT "B"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-672

A RESOLUTION CERTIFYING TO THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS THE AMOUNT OF MONEY NEEDED BY THE CITY OF MODESTO FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON BONDS OF THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1.

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, notice is required to be given on or before the 15th day of July of each year by the City of Modesto to the Board of Supervisors of the County of Stanislaus of the amount of money needed to be raised through taxation for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1, and

WHEREAS, pursuant to Section 4614.13 of the Health and Safety Code, the City of Modesto has determined that the total amount needed by it for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1 is $364,179.00, and

WHEREAS, the City of Modesto desires that the Board of Supervisors of the County of Stanislaus levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount which is so certified, and that the County Auditor, in accordance with Section 4614.13, compute the rate of taxation needed to raise the sum of $364,179.00 for the payment of principal and interest on the bonds of said district,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, in accordance with the above-mentioned Section 4614.13 of the Health and Safety Code, that it does hereby certify to the Board of Supervisors of the

County of Stanislaus that the amount of $364,179.00 is needed by the City of Modesto for the payment of principal and interest on the bonds of the Modesto Municipal Sewer District No. 1.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that it requires the Board of Supervisors of the County of Stanislaus to levy and collect taxes upon the taxable property in said Modesto Municipal Sewer District No. 1 sufficient to raise the amount of $364,179.00 and that it requests the County Auditor of said county to compute the rate of taxation needed to raise the sum of $364,179.00 for the payment of principal and interest on the bonds of said district.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-673

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE OFFICE OF CRIMINAL JUSTICE PLANNING, STATE OF CALIFORNIA FOR THE SALARY OF ONE OFFICER TO BE DESIGNATED CRIME PREVENTION COORDINATOR

WHEREAS, the City of Modesto Police Department desires to undertake a certain project designated Crime Prevention Coordinator to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968, PL 90-351, as amended, (hereafter referred to as the Crime Control Act) administered by the Office of Criminal Justice Planning (hereafter referred to as OCJP).

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto is authorized, on its behalf to submit the attached Application for Grant for Law Enforcement Purposes to OCJP and is authorized to execute on behalf of the City of Modesto the attached Grant Award for law enforcement purposes including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the Crime Control Act and the rules and regulations of OCJP and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-674

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (REX PROPERTIES)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map, to rezone from P-D(207) to P-D(234) to allow a professional office complex, property located on the northeast corner of Sisk and Rumble Roads

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-178 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for August 7, 1979 at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in a portion of the Southwest quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion of the West 18.25 acres of Lot 9 of McKinney Colony, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 21, 1903, in Volume 1 of Maps, Page 57, described as follows:

BEGINNING at the Southwest corner of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, which corner is also the Southwest corner of Lot 9 of McKinney Colony and running thence along the South line of said Section 12 and of said Lot 9, North 88° 56' 40" East 613 feet to the Southeast corner of the West 18.25 acres of said Lot 9; thence along the East boundary of said West 18.25 acres North 0° 25' 50" East 361.28 feet to a point in the Southeasterly line of the Hetch Hetchy Aqueduct right-of-way; thence along said Southeasterly line South 69° 55 3/4" West 658.31 feet to a point in the West line of said Section 12 and of said Lot 9; thence along said West line South 0° 50' 09" East 146.66 feet to the point of beginning.

Including also all of the Southerly one-half of Hetch Hetchy right-of-way immediately adjacent to the above described property.

Excepting therefrom all that street right-of-way situated between the West line of said Lot 9 and the centerline of Sisk Road and also the centerline of Rumble Road and the South line of Lot 9.

Also excepting therefrom the following described property, as granted to Aaron B. Miller, et al, by Deed recorded February 9, 1979, in Book 3154 Page 22 of Official Records, as Instrument No. 50402, to wit:

COMMENCING at the South quarter corner of said Section 12; thence South 88° 45' 45" West along the South line of said Section 12, a distance of 2003.00 feet to the East line of the West 18.25 acres of Lot 9, of the McKinney Colony as shown on the map recorded in Volume 1 of Maps at Page 57, Stanislaus County Records; thence North 0° 48' 40" West along said East line 40.00 feet to the North line of 40-foot Rumble Road and the point of beginning of this description; thence South 88° 45' 45" West along said North line 23.00 feet; thence North 0° 24' 53" West, 326.56 feet to the South line of Hetch Hetchy Aqueduct right-of-way as conveyed to the City and County of San Francisco by deed recorded in Book 63 of Official Records at Page 151, Stanislaus County Records; thence North 69° 42' 07" East along said South line 22.00 feet to above mentioned East line; thence South 0° 48' 40" East along said East line 333.72 feet to the point of beginning.

Also excepting therefrom all of the Northerly portion of Rumble Road right-of-way situated between the South line of said Aaron B. Miller property and the centerline of Rumble Road.

SCHEDULE "A"
REX PROPERTIES
JULY 3, 1979

MODESTO CITY COUNCIL
RESOLUTION NO. 79-675

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 26-3-9 OF THE ZONING MAP (JOAQUIN CONSTRUCTION)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 26-3-9 of the Zoning Map, to prezone to P-D(232), to allow a zero lot line project and a condominium project, property located on the west side of Lincoln Avenue, north of Penny Land

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-171 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 26-3-9 of the Zoning Map be set for July 24, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

COMMENCING at the East quarter corner of said Section 26, as shown on that certain map entitled "LINCOLN SQUARE" filed in Volume 24 of Maps at Page 36, Stanislaus County Records; thence the following two (2) courses and distances; (1) South 0°32'27" East, 10.00 feet; (2) South 89°57' 33" East, 20.00 feet to the POINT OF BEGINNING and the center line intersection of Lincoln Avenue and Penny Lane as shown on said map; thence North 89°57'33" West along said center line of Penny Lane and its Northwesterly prolongation thereof, a distance of 1005.32 feet to the intersection with the Easterly line of Parcel 1 as shown on that certain parcel map filed in Volume 1 of Parcel Maps at Page 134, Stanislaus County Records; thence North 0°32'50" West along said Easterly line of Parcel 1, and along the Easterly line of Parcel 1-A as shown on said map, a distance of 559.01 feet; thence Northwesterly along said Easterly line of Parcel 1-A along a tangent curve to the left having a radius of 500.00 feet through a central angle of 20°27'21", an arc distance of 178.51 feet to the intersection with the Southeasterly right-of-way line of the Modesto Irrigation District Lateral No. 2 as shown on said map; thence along said Southeasterly right-of-way line of Lateral No. 2, a distance of 823.4 feet more or less; thence leaving said Southeasterly right-of-way line North 89°27'33" East, 380.00 feet, to the intersection with the said center line of Lincoln Avenue; thence South 0°32'27" East along said center line, a distance of 1231.0 feet to the point of beginning.

Containing. 24.8 acres of land more or less.

SCHEDULE "A"
JOAQUIN CONSTRUCTION
JULY 3, 1979

MODESTO CITY COUNCIL
RESOLUTION NO. 79-676

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (JAMES R. CORN)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map, to rezone from R-2 to P-D(209) as an addition to P-D(209) property located on the southeast corner of Yarmouth Drive and Bingham Drive

the following described property:

> All that certain real property situate in a portion of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:
>
> Lot 1 of Block 1183 of Montpelier Estates as per map filed November 15, 1977, in Volume 27 of Maps at Page 22, Stanislaus County Records.
>
> Also including the East half of Yarmouth Drive and the South half of Bingham Drive contiguous to said lot.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-176 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for August 7, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-677

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (PLANNING COMMISSION INITIATED - RULE ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the Zoning Map, to rezone from P-D(151) to R-1, property located on the west side of Coffee Road south of Rumble Road the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-173 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 of the Zoning Map be set for August 7, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the Northeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, State of California, described as follows:

COMMENCING at the Northeast corner of said Section 16, said corner being the intersection of the centerline of Rumble Road and the centerline of Coffee Road; thence South 0°54'15" East, along said centerline of Coffee Road and the East line of said Section 16, a distance of 275.61 feet to the POINT OF BEGINNING; thence continuing South 0°54'15" East, along said centerline of Coffee Road, a distance of 250.13 feet to the Easterly prolongation of the North line of Parcel "A" and Parcel "B", as shown on the map filed in Book 18 of Parcel Maps at Page 46, Stanislaus County Records; thence North 88°57'15" West, along said North line of Parcels "A" and "B", a distance of 361.16 feet; thence North 0°30' East, 250.00 feet; thence South 88°57'15" East, 355.03 feet to the point of beginning.

Containing 2.06 Acres.

SCHEDULE "A"
PLANNING COMMISSION
INITIATED - RULE
July 3, 1979

MODESTO CITY COUNCIL
RESOLUTION NO. 79-678

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 14-3-9 OF THE ZONING MAP (BLAQUE HASTON)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 14-3-9 of the Zoning Map, to rezone from R-1 to R-2 property located on the south side of Floyd Avenue east of Oakdale Road

the following described property:

All that portion of Lot 9 of the Oregon Colony as filed in Book 4 of Maps at Page 48, Stanislaus County Records, lying in Section 14, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

Parcel B as shown on the map filed in Book 26 of Parcel Maps at Page 48, Stanislaus County Records.

Also including the South 30.00 feet of Floyd Avenue contiguous to said Parcel B.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-179 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 14-3-9 of the Zoning Map be set for August 7, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-679

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Collier-Trombetta Annexation by Resolution of the Board of Supervisors of the County of Stanislaus adopted on May 15, 19 79, and said annexation officially became a part of the City of Modesto on June 12, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Kent Campbell
Public Works Department

August 18, 1978
August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South 89° 46' East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South 0° 52'45" East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South 0°52'45" East, 1013.66 feet; thence North 89°47'45" West, 152.44 feet; thence North 0°54'20" West, 12.50 feet; thence North 89°47'45" West, 172.50 feet; thence South 0°54'20" East, 10.00 feet; thence North 89° 47'45" West, 152.50 feet; thence North 0°54'20" West, 0.22 feet; thence North 89°47'20" West, 162.43 feet; thence North 0°55'30" West, 235.02 feet; thence North 89°47'20" West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North 0°55'30" West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South 89°46'50" East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North 0°55'30" West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North 0°55'30" West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-[illegible]

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as Orangeburg-Claus No. 3 Annexation by Resolution No. 79-520 adopted on May 22, 19 79, and said annexation officially became a part of the City of Modesto on June 19, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19[illegible], by Councilmember [illegible], who moved its adoption, which motion being duly seconded by Councilmember [illegible], was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: [illegible]

NOES: Councilmembers: None

ABSENT: Councilmembers: [illegible]

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By [signature]
Public Works Department

March 6, 1979
May 18, 1979

LEGAL DESCRIPTION

ORANGEBURG - CLAUS NO. 3 ANNEXATION

All that portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19, being on the present center line of 50.00 foot wide Claus Road, thence NORTH along the West line of said Section 19, and said center line, 503.91 feet to the POINT OF BEGINNING of this description; thence continue NORTH, 818.40 feet; thence leaving said center line South 89° 20' 12" East, along the Westerly extension of the South line and the South line of that certain 18.644 acre parcel shown on the map filed in Book 14 of Record of Surveys at Page 50, Stanislaus County Records, 1257.70 feet to the West line of Modesto Irrigation District right-of-way line; thence South 0° 08' 20" West along said West right-of-way line, 815.67 feet to the North line of Parcel "A" as shown on the map filed in Volume 18 of Parcel Maps at Page 68, Stanislaus County Records; thence North 89° 27' 37" West along said North line 1255.69 feet to the point of beginning.

Containing: 23.57 acres more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-691

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE BURBANK-PARADISE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Burbank-Paradise Fire Protection District in Stanislaus County was annexed to the City of Modesto as California No. 1 Annexation by Resolution No. 79-517 adopted on May 22, 19 79, and said annexation officially became a part of the City of Modesto on June 19, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Burbank-Paradise Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember [illegible], who moved its adoption, which motion being duly seconded by Councilmember Lane, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: [illegible] Lane [illegible] Sieglin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: [illegible]

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By [signature]
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By [signature]
Public Works Department

March 1, 1979

CALIFORNIA NO. 1 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the West quarter corner of Section 31 and proceeding along the quarter section line North 89° 55' 00" East, 945.00 feet; thence North 00° 51' 00" West, 15.00 feet, to a point on the North line of 45.00 foot California Avenue, and the true point of beginning of this description, said point being on the existing City Limits as established by a Southern line of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence continuing along the existing City Limits, and a Southern line of said ADDITION (70), North 89° 55' 00" East, 532.17 feet, to a Northwest corner of the CALIFORNIA - PANAMA ADDITION (364), as per description filed December 30, 1977, as Instrument 42193, Stanislaus County Records;

2. thence continuing along the existing City Limits, a Western line of said ADDITION (364), and the Eastern line of Parcel A and B, as per map filed July 7, 1972, in Book 14 of Parcel Maps at Page 64, South 00° 44' 56" East, 798.40 feet;

3. thence leaving the existing City Limits, and proceeding along the Southern line of said Parcel B, South 89° 55' 00" West, 530.76 feet;

4. thence along the Western line of said Parcel B, North 00° 51' 00" West, 798.42 feet, to the point of beginning, containing 9.740 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-682

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Coffee-Rumble Annexation by Resolution No. 79-518 adopted on May 22, 19 79, and said annexation officially became a part of the City of Modesto on June 19, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Karl Campbell
Public Works Department

COFFEE-RUMBLE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast one quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeast corner of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records, said point being on the North line of Rumble Road;

1. thence continuing along the existing City Limits along a North line of said ADDITION (157), North 89° 37' 00" West, 278.00 feet;

2. thence along an Eastern line of said ADDITION (157), North 00° 50' 30" West, 79.00 feet;

3. thence leaving the existing City Limits, South 89° 37' 00" East, 298.00, to the East line of Section 9 and a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records;

4. thence along a Western line of said ADDITION (252), South 00° 50' 30" East, 79.00 feet;

5. thence North 89° 37' 00" West, 20.00 feet, to the point of beginning, containing 0.540 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-683

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (COLLIER-TROMBETTA ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution of the Board of Supervisors of the County of Stanislaus adopted on May 15, 1979, certain territory known as Collier-Trombetta Annexation, and

WHEREAS, the inclusion of the area contained in Collier-Trombetta Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Collier-Trombetta Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 206.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, August 14, 1979, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The north line of the annexation at the south line of East Orangeburg Avenue and the west line of Collier Avenue.

(2) The north line of the annexation at the south line of East Orangeburg Avenue and the east line of Trombetta Avenue.

(3) The east line of the annexation at the north line of Dawn Drive.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 206, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

August 18, 1978
August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South 89° 46' East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South 0° 52'45" East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South 0°52'45" East, 1013.66 feet; thence North 89°47'45" West, 152.44 feet; thence North 0°54'20" West, 12.50 feet; thence North 89°47'45" West, 172.50 feet; thence South 0°54'20" East, 10.00 feet; thence North 89° 47'45" West, 152.50 feet; thence North 0°54'20" West, 0.22 feet; thence North 89°47'20" West, 162.43 feet; thence North 0°55'30" West, 235.02 feet; thence North 89°47'20" West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North 0°55'30" West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South 89°46'50" East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North 0°55'30" West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North 0°55'30" West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Kullijian, seconded by Councilmember Lang, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 3, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

Collier-Trombetta Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79-684

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (ORANGEBURG-CLAUS NO. 3 ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-520 on May 22, 19 79, certain territory known as Orangeburg-Claus No. 3 Annexation, and

WHEREAS, the inclusion of the area contained in Orangeburg-Claus No. 3 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Orangeburg-Claus No. 3 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 207.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, August 14, 1979, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southwest corner of the annexation at the east line of Claus Road lying 503.91 feet north of the west quarter corner of Section 19.

(2) The west line of the annexation at the east line of Claus Road lying 900.00 feet north of the west quarter corner of Section 19.

(3) The northwest corner of the annexation at the east line of Claus Road lying 1322.31 feet north of the west quarter corner of Section 19.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 207, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

March 6, 1979
May 18, 1979

LEGAL DESCRIPTION

ORANGEBURG - CLAUS NO. 3 ANNEXATION

All that portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19, being on the present center line of 50.00 foot wide Claus Road, thence NORTH along the West line of said Section 19, and said center line, 503.91 feet to the POINT OF BEGINNING of this description; thence continue NORTH, 818.40 feet; thence leaving said center line South 89° 20' 12" East, along the Westerly extension of the South line and the South line of that certain 18.644 acre parcel shown on the map filed in Book 14 of Record of Surveys at Page 50, Stanislaus County Records, 1257.70 feet to the West line of Modesto Irrigation District right-of-way line; thence South 0° 08' 20" West along said West right-of-way line, 815.67 feet to the North line of Parcel "A" as shown on the map filed in Volume 18 of Parcel Maps at Page 68, Stanislaus County Records; thence North 89° 27' 37" West along said North line 1255.69 feet to the point of beginning.

Containing: 23.57 acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Kullijian, seconded by Councilmember Lang, and adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 3, 1979

Norrine Coyle

City Clerk of the City of Modesto, California

(SEAL)

Orangeburg-Claus No. 3 Add.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-685

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (CALIFORNIA NO. 1 ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-517 on May 22, 19 79, certain territory known as California No. 1 Annexation, and

WHEREAS, the inclusion of the area contained in California No. 1 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as California No. 1 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 208.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, August 14, 19 79, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northwest corner of the annexation at the south line of California Avenue and lying 945.00 feet east of the west quarter corner of Section 31.

(2) The north line of the annexation at the south line of California Avenue and lying 1200.00 feet east of the west quarter corner of Section 31.

(3) The northeast corner of the annexation at the south line of California Avenue and lying 1477.17 feet east of the west quarter corner of Section 31.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 208, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CALIFORNIA NO. 1 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the West quarter corner of Section 31 and proceeding along the quarter section line North 89° 55' 00" East, 945.00 feet; thence North 00° 51' 00" West, 15.00 feet, to a point on the North line of 45.00 foot California Avenue, and the true point of beginning of this description, said point being on the existing City Limits as established by a Southern line of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence continuing along the existing City Limits, and a Southern line of said ADDITION (70), North 89° 55' 00" East, 532.17 feet, to a Northwest corner of the CALIFORNIA - PANAMA ADDITION (364), as per description filed December 30, 1977, as Instrument 42193, Stanislaus County Records;

2. thence continuing along the existing City Limits, a Western line of said ADDITION (364), and the Eastern line of Parcel A and B, as per map filed July 7, 1972, in Book 14 of Parcel Maps at Page 64, South 00° 44' 56" East, 798.40 feet;

3. thence leaving the existing City Limits, and proceeding along the Southern line of said Parcel B, South 89° 55' 00" West, 530.76 feet;

4. thence along the Western line of said Parcel B, North 00° 51' 00" West, 798.42 feet, to the point of beginning, containing 9.740 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Kullijian, seconded by Councilmember Lang, and adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 3, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-686

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (COFFEE-RUMBLE ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-518 on May 22, 19 79, certain territory known as Coffee-Rumble Annexation, and

WHEREAS, the inclusion of the area contained in Coffee-Rumble Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Coffee-Rumble Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 209.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, August 14, 1979, at the hour of 7:30 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northeast corner of the annexation at the west line of Coffee Road lying 103.50 feet north of the southeast corner of Section 9.

(2) The south line of the annexation at the north line of Rumble Road lying 149.00 feet west of the southeast corner of Section 9.

(3) The southwest corner of the annexation at the north line of Rumble Road lying 298.00 feet west of the southeast corner of Section 9.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 209, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elliott Johnson
ELLIOTT L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

COFFEE-RUMBLE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast one quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeast corner of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records, said point being on the North line of Rumble Road;

1. thence continuing along the existing City Limits along a North line of said ADDITION (157), North 89° 37' 00" West, 278.00 feet;

2. thence along an Eastern line of said ADDITION (157), North 00° 50' 30" West, 79.00 feet;

3. thence leaving the existing City Limits, South 89° 37' 00" East, 298.00, to the East line of Section 9 and a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records;

4. thence along a Western line of said ADDITION (252), South 00° 50' 30" East, 79.00 feet;

5. thence North 89° 37' 00" West, 20.00 feet, to the point of beginning, containing 0.540 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 3, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Kullijian, seconded by Councilmember Lang, and adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 3, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Coffee-Rumble Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 687

A RESOLUTION REQUIRING A SALARY INCREASE FOR DRIVER EMPLOYEES OF THE TUOLUMNE RIVER INTER-CITY PASSENGER SERVICE (T. R. I. P. S.).

WHEREAS, the City of Modesto (City) and the Tuolumne River Inter-City Passenger Service (T. R. I. P. S.) (Company), are parties to an agreement dated December 13, 1976, whereby Company employs drivers to furnish bus service for City, and

WHEREAS, paragraph 5(c) of said agreement provides that effective July 1, 1979, Company shall award its driver employees an increase equivalent to the percent salary increase, not including fringe benefits, if any, awarded to City's miscellaneous employees for the fiscal year 1979-80, and

WHEREAS, City's miscellaneous employees have been awarded a salary increase, not including fringe benefits, of seven (7%) percent for the 1979-80 fiscal year, and

WHEREAS, paragraph 5(d) of said agreement provides that in addition to the salary increase provided for in paragraph 5(c) thereof, City reserves the right to require Company at any time to increase the salaries paid by Company to its driver employees who furnish bus service for City, and

WHEREAS, City has determined that the hourly rate of compensation of Company's driver employees should be increased to grant an additional salary increase pursuant to paragraph 5(d) of said agreement in addition to the seven (7%) percent cost of living increase provided for by paragraph 5(c) of said agreement, and that said increase should be made retroactive to July 1, 1979.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that pursuant to the provisions of paragraphs 5(c) and 5(d) of the hereinabove referred to agreement, the Council hereby requires Company to increase the salaries of all driver employees employed by it to furnish bus service for the City of Modesto pursuant to said agreement, in accordance with the schedule hereinafter set forth, and that said increases shall be made retroactive to July 1, 1979:

Drivers at the first step of salary range for bus drivers shall be increased from the present base pay of $3.88 to $4.15, which includes the 7% cost of living increase, plus an additional sum of 85¢, or a total salary of $5.00 per hour.

Drivers at the second step of salary range for bus drivers shall be increased from the present base pay of $4.19 to $4.48, which includes the 7% cost of living increase, plus an additional sum of 92¢, or a total salary of $5.40 per hour.

Drivers at the third step of the salary range for bus drivers shall be increased from the present base pay of $4.99 to $5.34, which includes the 7% cost of living increase, plus an additional sum of 91¢, or a total salary of $6.25 per hour.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-688

A RESOLUTION COMPROMISING DISPUTED AMOUNTS BILLED FOR WATER SERVICE INSTALLATION CHARGES AND WATER MAIN CONNECTION CHARGES FROM JUNE 7, 1978, THROUGH JULY 31, 1978, ON CERTAIN LOTS IN THE CITY OF MODESTO.

WHEREAS, by Ordinance No. 1726-C. S., which became effective on June 6, 1978, Sections 11-1.04 and 11-1.05 of the Modesto Municipal Code were amended to increase the City's water service installation charges and water main connection charges, and,

WHEREAS, on June 6, 1978, there were seven subdivisions in various stages of development in the City of Modesto, the lots in which the City's staff initially determined were subject to the old water service installation charges and water main connection charges, and

WHEREAS, subsequently, it was determined by the City's staff that the new water service installation charges and water main connection charges were applicable to one hundred thirty (130) lots in said seven subdivisions, and

WHEREAS, the persons who had obtained building permits for said one hundred thirty (130) lots in said subdivisions were billed for the additional amounts due under the new charges, and

WHEREAS, an appeal has been filed on behalf of said persons challenging said additional charges, and

WHEREAS, the City Council has received and considered two staff reports, dated March 16, 1979, and June 26, 1979, which reports detail the background and history of the above referred to billings for increased water service installation charges and water main connection charges, and

WHEREAS, the staff report of June 26, 1979, recommends that the City of Modesto compromise the dispute over the increased costs billed on the building permits for said one hundred thirty (130) lots for water service installation charges and water main

connection charges during the period of June 7, 1978, through July 31, 1978, and that said bills be reduced by fifty (50%) percent, and

WHEREAS, after due consideration of said recommendation, this Council has found and determined that a controversy does exist over the amount that should have been charged for water service installation charges and water main connection charges on the building permits for said one hundred thirty (130) lots and that compromising said dispute at fifty (50%) percent of said increased charges will be fair and equitable to both the City of Modesto and the persons who obtained the building permits for said lots,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the increased costs billed for water service installation charges and water main connection charges during the period of June 7, 1978, through July 31, 1978, for the above referred to one hundred thirty (130) lots be reduced by fifty (50%) percent.

BE IT FURTHER RESOLVED that those persons who have already paid the full amount of the additional charges as previously billed shall be refunded one-half (1/2) of said amount and those persons who have not already paid the amount previously billed shall be billed for one-half (1/2) of said amount.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-689

A RESOLUTION AMENDING SECTION 3 OF RESOLUTION NO. 79-639 ENTITLED "A RESOLUTION AMENDING SECTION 13.1 RELATING TO HOURS OF WORK, SECTION 13.2 RELATING TO OVERTIME, SECTION 13.4 RELATING TO VACATIONS, AND SECTION 13.5 RELATING TO SICK LEAVE, OF THE PERSONNEL RULES".

WHEREAS, on June 26, 1979, the City Council, adopted Resolution No. 79-639 entitled "A Resolution Amending Section 13.1 Relating to Hours of Work, Section 13.2 Relating to Overtime, Section 13.4 Relating to Vacations, and Section 13.5 Relating to Sick Leave, of the Personnel Rules, and

WHEREAS, the Council desires to amend Section 3 of said resolution which refers to Section 13.4 of the Personnel Rules relating to vacations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 3 of Resolution No. 79-639, referred to above, is hereby amended to read as follows:

"SECTION 3. That Section 13.4 of the Personnel Rules be amended to read as set forth on Amended Exhibit "C" attached hereto and which by this reference is made a part hereof as though set forth in full herein."

BE IT FURTHER RESOLVED that this resolution shall apply retroactively on and after June 26, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by

Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

13.4 Vacations

(a) Effective July 1, 1979, vacation leave shall be accrued according to the following schedule:

(1) For employees in the classifications of Fire Fighter, Fire Engineer, and Fire Lieutenant, except those employees in the said classifications working a forty hour work week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	24-HOUR SHIFTS Earned Annually	Accrual Per Month
During 1st - 5th	6	1/2
During 6th - 15th	9	3/4
During 16th - thereafter	12	1

(2) For those employees in the classification of Fire Battalion Chief, except those employees in said classification working a forty-hour week, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Earned Annually
During 1st - 5th	6 shifts
During 6th - 10th	9 shifts
During 11th - 20th	12 shifts
During 21st - thereafter	15 shifts

(3) For employees working a forty-hour week in the classifications of Fire Fighter, Fire Engineer and Fire Lieutenant, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(4) For employees in the classifications of Police Officer and Detective, the following vacation schedule shall apply until December 31, 1979:

Calendar Year of Continuous Service After Hire Date	WORK DAYS Earned Annually	Accrual Per Month
During 1st - 5th	10	10/12
During 6th - 15th	15	15/12
During 16th - thereafter	20	20/12

(5) For all other employees, including Police Officers and Detectives effective January 1, 1980, the following vacation schedule shall apply:

Calendar Year of Continuous Service After Hire Date	Work Days Earned Annually	Work Hours Earned Annually
During 1st - 5th	10	80
During 6th - 10th	15	120
During 11th - 20th	20	160
21st and thereafter	25	200

(b) Vacation credit allowance will be accrued by each City employee from the date of his employment; however, no vacation credit will be considered earned until after one year of continuous service. Employees who terminate with less than one year of service will not be eligible for regular vacation benefits.

(c) During the first two years of employment, an employee may use only the amount of vacation leave accrued at the time vacation begins. During the third and subsequent calendar years, for scheduling purposes, annual vacation accrual may be credited at January 1 and may be used during the year although all of such leave may not be earned at the time vacation begins.

(d) Part-time employees working half-time or more shall be eligible for proportional vacation leave benefits.

(e) If a paid holiday falls during an employee's vacation, it shall not be charged against vacation leave.

(f) Vacations shall be scheduled by the department head, with due regard for the wishes of the employee and with particular regard for the needs of the City.

(g) After one year of service, each employee will be expected to take during each year the vacation to which he is entitled. Accumulation of unused vacation leave shall not exceed twice the employee's annual allowance except when the Director of Personnel deems it to be in the best interest of the City to allow additional unused vacation leave to be accumulated. (amended 12-74)

(h) In the event of termination of City employment of any person who has taken vacation leave prior to the time all of said vacation leave is earned, said employee shall be required to make restitution to the City for that portion of said vacation leave taken, but remaining unearned on the date of termination of his employment. Employees separating from the City service after one year of continuous service shall be paid for unused vacation leave credit.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-690

A RESOLUTION APPROVING AMENDED **AGREEMENT BETWEEN THE CITY OF MODESTO AND** EMPIRE FIRE DISTRICT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amended **agreement between the City of Modesto and** the Empire Fire District extending the expiration date of the agreement

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd **day of** July, **19** 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-691

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN SISK ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension in Sisk Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 31, 1979, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-692

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RECONSTRUCTION OF THE INVERTED SIPHON IN BEARD BROOK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for reconstruction of the inverted siphon in Beard Brook Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on July 31, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-693

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN CALIFORNIA AVENUE FROM CARPENTER TO PANAMA

WHEREAS, Resolution No. 79-572, adopted by the Council of the City of Modesto on June 12, 1979, approved the plans and specifications for the construction of waterline extension in California Avenue from Carpenter to Panama and authorized the calling for bids, and

WHEREAS, the bids received for the construction of waterline extension in California Avenue from Carpenter to Panama were opened at 11:10 a.m. on July 3, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $47,256.40 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $47,256.40 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July,

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-694

A RESOLUTION ACCEPTING THE BID OF BEST CHEVROLET FOR FURNISHING THREE COMMUNITY SERVICES COMPACT CARS WITH AIR CONDITIONING

WHEREAS, Resolution No. 79-527 **, adopted by the Council of the City of Modesto on** June 5, 1979 **, approved the plans and specifications for the** purchase of three community services compact cars with air conditioning **and authorized the calling for bids, and**

WHEREAS, the bids received for the purchase of three community services compact cars with air conditioning **were opened at** 2:00 p.m. on June 26, 1979, **and later tabulated by the** Director of Finance **for the consideration of the Council, and**

WHEREAS, the Director of Finance **has recommended that the bid of** Best Chevrolet in the amount of $14,490.08

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Best Chevrolet in the amount of $14,490.08

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July **,**

19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-695

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR PAVING A PORTION OF CHICAGO AVENUE

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, informal bids were opened on July 2, 1979 for the paving of a portion of Chicago Avenue; and

WHEREAS, the price of $.65 per square foot quoted by Flintkote is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,713 to Flintkote Company for paving a portion of Chicago Avenue is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-696

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH HEWLETT-PACKARD FOR THE PURCHASE OF DISC DRIVE AND INTERFACE COMPUTER EQUIPMENT

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of disc drive and interface computer equipment is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Hewlett-Packard for the purchase of disc drive and interface computer equipment, for the purchase price of $18,271.33.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-697

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SCENIC-CLAUS ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on May 22, 19 79, duly adopted Resolution No. 79-513 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, July 10, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 203, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 19th day of July, 19[illegible], by Councilmember [illegible]uratore,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

SCENIC-CLAUS ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the SPRING CREEK ADDITION (325), as per description filed January 15, 1975, as Instrument 26879, Stanislaus County Records, said point being the center line of Scenic Drive;

1. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 47' 22" West, 1378.16 feet;

2. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 81° 17' 40" East, 526.34 feet;

3. thence continuing along the existing City Limits and an Eastern line of said ADDITION (325), North 00° 48' 30" West, 262.74 feet;

4. thence continuing along the existing City Limits and a Southern line of said ADDITION (325), North 89° 21' 00" East, 655.66 feet, to the center line of 50.00 foot Claus Road;

5. thence leaving the existing City Limits and continuing along the center line of Claus Road, South 00° 47' 00" East, 1608.51 feet, to the intersection with the center line of Scenic Drive;

6. thence along the center line of Scenic Drive, South 89° 13' 00" West, 20.00 feet, to the beginning of a curve concave to the South, having a radius of 145.10 feet, a central angle of 18° 23' 00", and an Arc Length of 46.56 feet;

7. thence continuing along the center line of Scenic Drive, South 70° 50' 00" West, 245.91 feet, to the beginning of a curve concave to the Northwest, having a radius of 350.00 feet, a central angle of 17° 57' 30", and an Arc Length of 109.70 feet;

8. thence North 01° 12' 30" West, 5.00 feet;

9. thence continuing along the center line of Scenic Drive, South 88° 48' 00" West, 769.86 feet, to the point of beginning containing 42.173 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 10, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 10, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-698

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SHACKELFORD SCHOOL ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on May 22, 19 79, duly adopted Resolution No. 79-514 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, July 10, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 204, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

SHACKELFORD SCHOOL ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 4, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southeastern corner of the CROWS LANDING INDUSTRIAL TRACT ADDITION (45), as per description filed August 5, 1952, as Instrument 18281, Stanislaus County Records, said point being on the center line of 60.00 foot Crows Landing Road, also being the West line of Section 4.

1. thence leaving the existing City Limits along the Southern line of a 10' alley, South 89° 51' 00" East, 658.85 feet, to the center line of 50.00 foot Bowie Avenue;

2. thence along said center line of Bowie Avenue, South 00° 02' 00" East, 497.00 feet, to the center line of 60.00 foot School Avenue;

3. thence along said center line of School Avenue, North 89° 51' 30" West, 658.49 feet, to the center line of 60.00 foot Crows Landing Road;

4. thence along the center line of Crows Landing Road, North 00° 04' 30" West, 497.10 feet, to the point of beginning, containing 7.516 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 1[illegible], 19[illegible], of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember [illegible], seconded by Councilmember Elliott, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Gallighan, Lang, Muratore, Siefkin, Mayor Wensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 1[illegible], 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-699

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (RENO AVENUE ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on May 22, 1979, duly adopted Resolution No. 79-515 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205 be annexed to the Modesto Municipal Sewer District No. 1, setting forth a general description of the area proposed to be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and

Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, July 10, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 205, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Muratore,

who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

RENO AVENUE ANNEXATION

ALL that portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, County of Stanislaus, State of California, described as follows;

COMMENCING at the Northwest corner of said Section 30; thence South 0°51'15" East, along the West line of said Section 30, a distance of 1319.97 feet; thence South 89°49'10" East, along the North line of Parcel "1" and Parcel "3" as shown on the map filed in Book 4 of Parcel Maps at Page 84, Stanislaus County Records, 869.11 feet to the center line of Reno Avenue and the POINT OF BEGINNING of this description; thence South 0°53'15" East along said center line 250.00 feet; thence North 89°49'10" West, along the South line of said Parcel "3" and its Easterly extension 423.54 feet to the Southwest corner thereof; thence North 0°53'15" West along the West line of said Parcel "3", a distance of 250.00 feet to the Northwest corner thereof being on the existing City Limits Line; thence South 89°49'10" East, along the North line of said Parcel "3" and its Easterly extension 423.54 feet to the point of beginning.

Contains 2.43 acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 10, 19 78, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember [illegible], seconded by Councilmember Lang, and adopted by the following vote:

AYES: Councilmembers: [illegible] Elliott Kalijian Lang, Muratore, Siefkin, Mayor Hensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED:

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-700

A RESOLUTION OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT DENYING A CONDITIONAL USE PERMIT IN THE H-1 ZONE FOR EXPANSION OF THE TREE FROG TAVERN, 2024 WEST ORANGEBURG AVENUE, WITH A SUBSTANDARD FRONT SETBACK.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a 1,110-square foot building addition to the Tree Frog Tavern, 2024 Orangeburg Avenue, with the front building setback being only 11 feet from the Orangeburg Avenue property line, instead of the 15 feet called for in the H-1 Zone development standards contained in the Modesto Municipal Code, was filed by Stan Azevedo, owner of the Tree Frog Tavern, on May 2, 1979, and

WHEREAS, Section 10-2.1904 of the Modesto Municipal Code provides that the Board of Zoning Adjustment may grant conditional use permits, and

WHEREAS, Section 10-2.2903 of the Modesto Municipal Code provides that eating and drinking places are a permitted use in the H-1 Zone, subject to the securing of a conditional use permit from the Board of Zoning Adjustment, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on May 24, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, on said application and evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by Resolution No. 865, found and determined that the application for a conditional use permit for a 1,110-square foot building addition to the Tree Frog Tavern, 2024 Orangeburg Avenue, with the front building setback being only 11 feet from the Orangeburg Avenue property line, instead of the 15 feet called for in the H-1 Zone development

standards contained in the Municipal Code, should be denied for the following reasons:

1. The proposed building expansion intrudes four feet into a minimum standard front yard setback area.

2. On April 26, 1979, the Board of Zoning Adjustment granted a similar restaurant expansion on the same side of the street, which expansion was required to be maintained behind the 15-foot front setback line.

3. The property owners have many design alternatives available which would allow expansion of the facility without encroaching into the 15-foot front yard setback area.

WHEREAS, an appeal was filed by Stan Azevedo with the Modesto City Council, by letter dated May 25, 1979, to the decision of the Board of Zoning Adjustment denying his request for said conditional use permit, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on July 10, 1979, and

WHEREAS, at said meeting said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Stan Azevedo, owner of the Tree Frog Tavern, to the decision of the Board of Zoning Adjustment denying his request for a conditional use permit in the H-1 Zone to allow a 1,110-square foot building addition to the Tree Frog Tavern, 2024 West Orangeburg Avenue, with the front building setback being only 11 feet from the Orangeburg Avenue property line, instead of the 15 feet called for in the H-1 Zone development standards contained in the Municipal Code, should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. The building on the property to the immediate north is setback only 11 feet from the property line.

2. The existing roof overhang on the subject building extends to approximately 13 feet from the property line.

3. The subject parcel is very shallow, making expansion in other directions difficult.

and

WHEREAS, the City Council at said Council meeting, reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of Stan Azevedo, owner of the Tree Frog Tavern, to the decision of the Board of Zoning Adjustment denying his request for a conditional use permit in the H-1 Zone to allow a 1,110-square foot building addition to the Tree Frog Tavern at 2024 West Orangeburg Avenue with the front building setback 11 feet from the Orangeburg Avenue property line, is hereby granted, and the decision of the Board of Zoning Adjustment, as set forth in its Resolution No. 865, is hereby overruled.

BE IT FURTHER RESOLVED that a conditional use permit in the H-1 Zone to allow a 1,110-square foot building addition to the Tree Frog Tavern at 2024 West Orangeburg Avenue with a front building setback 11 feet from the Orangeburg Avenue property line is hereby granted, subject to the following conditions:

1. That all development shall conform to the plot plan titled "2024 W. Orangeburg Avenue - Site Plan - 1"=10'" as amended in red, stamped approved by the City Council on July 10, 1979 and on file in the Planning and Community Development Department.

2. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

3. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used

in the major building or of decorative masonry as determined by the Director of Planning and Community Development.

4. That all signs shall comply with the sign requirements of the H-1 Zone.

5. That all conditions of Planning Commission Resolution No. 67-98 and Board of Zoning Adjustment Resolution No. 766 not in conflict with this action shall remain in full force and effect.

6. That the applicant shall record a "Notice of Conditions" form.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Bright, Elliott

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-701

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (230).

WHEREAS, a verified application for an amendment to Section 30-3-9 of the Zoning Map was filed by R. T. Hughes Co. on April 18, 1979, to reclassify from Light Industrial Zone, M-1 to Planned-Development Zone, P-D, the following described property:

All that portion of Lots 7 and 8 of MAZE COLONY, as per Map filed March 24, 1904, in Volume 1 of Maps, Page 83, Stanislaus County Records, lying in Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at the true Southeast corner of said Lot 8, said corner being the intersection of the South line of 40-foot County Road known as Kansas Avenue with the centerline of 30-foot Avenue known as Lone Palm Avenue, running thence South 89° 49' West along the South line of said Lot 8 and being also the South line of said Kansas Avenue, a distance of 360.40 feet to a point that bears North 89° 49' East 299.60 feet from the true Southwest corner of said Lot 8; thence North 0° 58' West parallel with the West line of said Lot 8, a distance of 40 feet to a point on the North line of said Kansas Avenue and being the South corner of land conveyed to Manuel S. Gonsalves, et ux by Deed recorded February 2, 1944 as Instrument No. 1683; thence North 0° 01' East along the East line of said Gonsalves land, a distance of 294.05 feet to the Northeast corner thereof; thence North 89° 49' East parallel with the South line hereof a distance of 355.40 feet to the East line of said Lot 7 and being the centerline of Lone Palm Avenue; thence South 0° 58' East along the East line of said Lots 7 and 8 and the centerline of said Lone Palm Avenue, a distance of 334 feet to the point of beginning.

Excepting therefrom all that portion of Kansas Avenue that is situated between the centerline of Kansas Avenue and the South line of the above-described property.

WHEREAS, after public hearing held on May 29, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone allows a development pattern and land use intensity which is consistent with the existing zoning except that the P-D zoning allows sale of portions of buildings rather than only rental or lease.

2. The approved development plan is compatible with surrounding existing and potential development by virtue of ample off-street parking, good vehicular access, and peripheral landscaping.

WHEREAS, after a public hearing held on July 10, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of R. T. Hughes Company for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1854-C.S. on the 10th day of July, 1979, reclassifying the above-described property from Light Industrial Zone, M-1, to Planned-Development Zone, P-D (230).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (230), is hereby approved in accordance with the plan titled "Kansas Business Park", as amended in red on its face, stamped approved by the Planning Commission on May 29, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the developer shall improve Kansas and Lone Palm Avenues to 60-foot collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

5. That prior to issuance of a building permit, street improvement plans for the required street improvement shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

6. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications and shall comply with the parking standards of Article 18 of Title 10 of the Modesto Municipal Code.

7. **That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.**

8. **Drainage shall be provided in accordance with the requirements of the Director of Public Works.**

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

11. That all signs shall comply with the sign requirements of the M-1 Zone.

12. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

13. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Property Owners' Association which shall guarantee continued maintenance of common facilities and private property in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

14. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

15. That the applicant shall install one fire hydrant and the pipeline system in accordance with the requirements of the Fire Chief. The hydrant shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (230) _____:

> The entire construction program shall be accomplished in one phase, construction to begin on or before October 31, 1980, and completion to be not later than October 31, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (230) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Michael C. Herrera
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-702

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 30-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (R. T. HUGHES CO.)

WHEREAS, on July 10, 19 79, the City Council introduced Ordinance No. 1854 C. S. giving approval to a project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Light Industrial Zone, M-1, to Planned Development Zone, P-D (230), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 30-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Light Industrial Zone, M-1, to Planned Development Zone, P-D (230).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 703

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 77-1076 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(172)" AND GRANTING A VARIANCE FOR CONSTRUCTION OF AN EXCEPTIONALLY WIDE DOUBLE CURB CUT.

WHEREAS, the City Council, by Ordinance 1656-C.S., which was finally adopted on November 7, 1977, and which became effective on December 7, 1977, amended Section 8-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D(172) property located on the northwest corner of Standiford Avenue and Colonial Drive, and

WHEREAS, the City Council, by Ordinance No. 1804-C.S., which was finally adopted on February 6, 1979, and which became effective on March 8, 1979, amended Section 2 of Ordinance No. 1656-C.S. referred to above, relating to the uses permitted in said P-D(172), Zone, and

WHEREAS, City Council Resolution No. 77-1076, adopted on October 17, 1977, approved the development plan, development schedule and contained the conditions of approval for the development of P-D(172), and

WHEREAS, City Council Resolution No. 79-69 adopted on January 20, 1979, amended said Resolution No. 77-1076 referred to above to revise condition No. 20 of Subsection C thereof, and

WHEREAS, on April 18, 1979, R. T. Hughes Co. filed an application for an amendment to a portion of Planned-Development Zone, P-D(172) to allow a one-story professional office condominium on the property located on the northwest corner of Standiford Avenue and Colonial Drive, and

WHEREAS, said application was set for a public hearing before the Planning Commission at its meeting of May 29, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence both oral and documentary was received and considered, and

WHEREAS, at said hearing, the Planning Commission adopted Resolution No. 79-145 recommending to the City Council that an amendment to a portion of Planned-Development Zone, P-D(172) be granted for the following reasons:

1. The Planned-Development Zone amendment will allow sale of individual buildings in a professional office project which has been approved previously by both the Planning Commission and the City Council.

2. The revised development plans, the conditions of approval and the application of the Modesto Building Code for condominium conversion will assure that the development will be constructed and maintained to the best interests of the general public as well as the individual property owners,

and

WHEREAS, a public hearing was held on July 10, 1979, by the Council of the City of Modesto, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the application of R. T. Hughes Co. and the recommendation of the Planning Commission, and at said hearing evidence both oral and documentary was received and considered, and

WHEREAS, the Council finds and determines that the requested amendment to P-D(172) to allow a one-story professional office condominium on the property located on the northwest corner of Standiford Avenue and Colonial Drive should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-145 and granted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered

the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the amendment to a portion of Planned-Development Zone, P-D(172),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 entitled "Development Plan" of Resolution No. 77-1076, as amended by Resolution No. 79-69, is hereby further amended to add Conditions No. 27 through 33 to Subsection D thereof, to read as follows:

27. That with respect to the office portion of P-D(172) all development shall be in accordance with the plans titled "Colonial Commons", as amended in red on its face, stamped approved by the Planning Commission on May 29, 1979, and on file in the office of the Director of Planning and Community Development.

28. That prior to issuance of a building permit, the applicant shall submit a set of revised plot plans showing all changes required by the Planning Commission. All development shall conform to this revised plan as amended in red, stamped approved by the Planning Commission on May 29, 1979, and on file in the Planning and Community Development Department.

29. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

30. That prior to City Council approval of a final subdivision mpa, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Property Owners' Association which shall guarantee continued maintenance of common facilities and private property in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

31. That prior to occupancy of the premises, the developer shall relocate an on-site fire hydrant in accordance with the requirements of the Fire Chief.

32. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

33. That all conditions of City Council Resolution No. 77-1076 which are not in conflict with the above shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that a variance is hereby granted to R. T. Hughes Co. to allow the construction of an exceptionally wide double curb cut as shown on the approved development plan entitled "Colonial Commons" as amended in red on its face, stamped approved by the Planning Commission on May 29, 1979, which is on file in the office of the Director of Planning and Community Development.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned-Development Zone, P-D(172) to allow a one-story professional office condominium.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-704

A RESOLUTION DENYING THE APPEAL FILED BY BOB SCOTT OF R. T. HUGHES COMPANY ON BEHALF OF PAT VAN DER HOEK FOR AN AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ROSE AVENUE AND ANGELENE DRIVE.

WHEREAS, a verified application for an amendment to Section 22-3-9 of the Zoning Map was filed by Pat Van Der Hoek on April 18, 1979, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located at the southwest corner of Rose Avenue and Angelene Drive described as follows:

All that certain piece or parcel of land situate in and being a portion of the Southwest one-quarter of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, being more particularly described as follows:

Property "A"

COMMENCING at the Southeast corner of Parcel A, according to the Official Map thereof recorded in Volume 5 of Parcel Maps at Page 149, Stanislaus County Records; thence North 00° 37' 00" West and along the Westerly line of a 50-foot City street known as Rose Avenue, a distance of 94.27 feet to the TRUE POINT OF BEGINNING of this description; thence continuing North 00° 37' 00" West and along said Westerly line a distance of 65.17 feet; thence along the arc of a cruve concave to the Southwest, a distance of 23.39 feet, said curve having a central angle of 89° 21' 30" and a radius of 15.00 feet to a point on the Southerly line of a 50-foot City street known as Angelene Drive; thence North 89° 58' 30" West and along said Southerly line, a distance of 85.17 feet; thence South 00° 37' 00" East, a distance of 80.00 feet; thence South 89° 58' 30" East, a distance of 100.00 feet to the point of beginning.

Including also all of the Southerly 25 feet of Angelene Drive immediately adjacent to the above described Property "A".

Property "B"

BEGINNING at the Southeast corner of Parcel A, according to the Official Map thereof recorded in Volume 5 of Parcel Maps at Page 149, Stanislaus County Records; thence North 00° 37' 00" West and along the Westerly line of a 50-foot City street known as Rose Avenue, a distance of 94.27 feet; thence North 89° 58' 30" West, a distance of 105.00 feet; thence South 00° 37' 00" East, a distance of 94.24 feet; thence South 89° 57' 22" East, a distance of 105.00 feet to the point of beginning

Including also all of the Westerly 30 feet of Rose Avenue immediately adjacent to the above described properties "A" and "B".

and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of May 29, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-144, denied the requested amendment to Section 22-3-9 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property described above located at the southwest corner of Rose Avenue and Angelene Drive in the City of Modesto for the following reasons:

1. The subject property is located in the interior of the Rose Park Neighborhood away from the perimeter of major streets of that neighborhood.

2. The proposed R-2 rezoning does not conform to the Rose Park Neighborhood Zoning and Development Policy nor to the locational criteria as contained in the policy prototype of the Modesto Urban Area General Plan,

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated June 12, 1979, from Bob Scott of R. T. Hughes Company, on behalf of Pat Van Der Hoek, to the decision of the Planning Commission denying her application to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, the property hereinabove described, located at the southwest corner of Rose Avenue and Angelene Drive, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on Tuesday, July 10, 1979, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Bob Scott of R. T. Hughes

Company, on behalf of Pat Van Der Hoek, to the decision of the Planning Commission denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, of the property described above located at the southwest corner of Rose Avenue and Angelene Drive in the City of Modesto, should be denied for the reasons set forth in Planning Commission Resolution No. 79-144, quoted above, and that the decision of the Planning Commission denying the requested rezoning should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed rezoning,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Bob Scott of R. T. Hughes Company, on behalf of Pat Van Der Hoek, to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-144 denying rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, of the above described property, located at the southwest corner of Rose Avenue and Angelene Drive in the City of Modesto, is denied, for the reasons set forth in Planning Commission Resolution No. 79-144, quoted above, and the decision of the Planning Commission denying the requested rezoning is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Lang,

who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-705

A RESOLUTION SETTING TIME AND PLACE FOR AN INFORMAL PUBLIC HEARING TO CONSIDER WASTEWATER TREATMENT FACILITIES PROJECT REPORT AND EIR

BE IT HEREBY RESOLVED by the Council of the City of Modesto that July 19, 1979, at 7:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of wastewater treatment facilities Project Report and EIR.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-706

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO CALTRANS FOR A DOWNTOWN TRANSPORTATION CENTER/BUS TERMINAL AT 10TH AND H STREETS

BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to Caltrans for a downtown transportation center/bus terminal at 10th and H Streets under the funding vehicle of SB 1879, in the amount of $1,185,700, be and is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 3rd day of July, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Kullijian
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-707

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GUARANTEE SAVINGS AND LOAN ASSOCIATION FOR THE PURCHASE OF 10.008± ACRES NEEDED FOR THE WOODLAND NEIGHBORHOOD PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Guarantee Savings and Loan Association for the purchase of 10.008± acres needed for Woodland Neighborhood Park site, a proposed project in the 1978-79 CIP, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-708

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $90,000 FROM RESERVE TO WOODLAND NEIGHBORHOOD PARK LAND ACQUISITION

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Land Acquisition Reserve (062-00 800 321)	$90,000
TO:	Capital Outlay/ Parks & Recreation	$90,000

The original proposal was to purchase the land only. However, by making general subdivision improvements, the City was able to settle with the land owner at a cost saving the City money.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-709

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PACIFIC AIRCRAFT SERVICE FOR HANGAR NO. 3 AT THE CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Pacific Aircraft Service **for** a fixed-base operator lease for Hangar No. 3 at the City County Airport **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-710

A RESOLUTION ACCEPTING IMPROVEMENTS IN LUCK ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Charles S. and Evelyn M. Solomon, and Kenneth E. and Mary L. Bohns, subdividers of Luck Estates , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $90,000 and $45,000 respectively to guarantee improvements in Luck Estates ; and

WHEREAS, the Director of Public Works in a memorandum dated July 3, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Luck Estates Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Instrument of Creditfor faithful performance in the amount of $90,000.00 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Instrument of Creditfor labor and materials in the amount of $45,000.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-711

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND EMPLOYERS REINSURANCE CORPORATION AND PURITAN INSURANCE COMPANY FOR RENEWAL OF THE EXCESS INSURANCE FOR WORKERS' COMPENSATION THROUGH JUNE 30, 1980

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Employers Reinsurance Corporation and Puritan Insurance Company **for** renewal of the excess insurance for workers' compensation through June 30, 1980 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-712

RESOLUTION APPROVING ADJUSTMENTS TO THE CITY OF MODESTO FINAL BUDGET FOR FISCAL YEAR 1979-80.

WHEREAS, changes in employee salaries and benefits were approved by the City Council on June 26, 1979, and

WHEREAS, the various appropriations in the City of Modesto Final Budget for Fiscal Year 1979-80, adopted on June 19, 1979, do not provide for said changes, and

WHEREAS, other changes to the City of Modesto Final Budget for Fiscal Year 1979-80 are necessary to update carry-over balances, revise various revenue estimates, and adjust reserve levels,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the adjustments shown in sections I, II and III of Exhibit "A", which is attached hereto and made a part hereof, are hereby made to the City of Modesto Final Budget for Fiscal Year 1979-80.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SECTION I - SALARY ADJUSTMENTS

Fund No.	Dept. No.	Department Title	Salaries & Wages Regular Acct 110-00	Salary & Wages Overtime Acct 130-00	Deferred Comp. (Voluntary) Acct 199-00	Deferred Comp. 2% (Mandatory) Acct 199-01
GENERAL FUND						
101	80	City Manager	$ 2,135	$ -	$ 914	$ 1,342
	90	Management Services	1,116	-	2,871	1,755
	100	Personnel	3,419	14	392	1,678
	110	Word Processing	2,586	-	2,088	2,058
	120	Administrative Servics	2,015	-	-	887
	130	City Attorney	2,314	-	4,568	3,031
	140	City Clerk & Auditor	1,776	-	783	1,126
	150	Finance	(1,125)	63	26,968	11,379
	180	Planning	759	7	13,990	6,494
	210	Fire	233,671	1,890	10,179	1,722
	211	Disaster & Civil Defense	777	-	-	-
	220	Police	204,318	4,550	13,572	6,871
	222	Stan. Co. Drug Enf.	5,552	858	-	-
	223	Animal Control	1,898	140	-	835
	270	Parks & Rec. Admin.	8,121	-	1,305	4,150
	290	McHenry Museum	1,471	-	-	648
	291	McHenry Mansion	-	127	-	-
	300	King-Kennedy Memorial Ctr.	3,079	-	-	1,356
	320	Recreation	3,352	-	-	1,476
	330	Maddux Youth Center	460	-	-	203
	340	Community Service Center	281	-	-	124
	350	Parks	39,274	1,497	2,180	18,647
	360	Street Trees	22,822	344	-	10,049
	370	9-Hole Golf Course	3,207	281	-	1,412
	380	Dryden Golf Course	5,650	437	261	2,603
	390	Senior Citizens Center	598	-	-	263
	410	P.W. Eng. & Admin.	15,631	348	25,237	17,996
	420	P.W. Inspection	20,139	262	3,915	10,592
	430	P.W. Electrical	9,821	743	-	4,325
	510	P.W. Streets	18,896	542	2,610	9,470
	540	P.W. Garden Refuse	18,409	246	4,959	10,289
	550	City Hall	4,608	71	-	2,029
	560	Parking & Traffic	(13,382)	-	20,280	3,037
		Total General Fund	$623,648	$ 12,420	$137,072	$137,847
PARKING FUND						
209	570	Parking	$ 3,147	$ -	$ -	$ 1,385
WATER FUND						
211	500	Water	$ 20,646	$ 1,308	$ 783	$ 9,436

Exhibit "A"

Fund No.	Dept. No.	Department Title	Salaries & Wages Regular Acct 110-00	Salary & Wages Overtime Acct 130-00	Deferred Comp. (Voluntary) Acct 199-00	Deferred Comp. 2% (Mandatory) Acct 199-01
SEWER SERVICE						
212	520	Sewerage	$ 35,562	$ 1,097	$ 5,612	$ 849
DOWNTOWN IMPROVEMENT DISTRICT						
218	60	DID	$ 607	$ -	$ -	$ 267
HCDA TITLE I HOUSING						
224	185	Housing & Comm. Dev.	$ 6,435	$ -	$ -	$ 2,834
AIRPORT						
230	460	Airport	$ 1,254	$ 23	$ 3,915	$ 2,276
BUS SERVICE						
350	490	Bus Maintenance	$ 6,530	$ 70	$ -	$ 2,875
	590	Bus Service	1,312	-	-	578
		Total Bus Service	$ 7,842	$ 70	$ -	$ 3,453
PURCHASING REVOLVING						
511	151	Central Stores	$ 2,248	$ 11	$ 1,305	$ 1,565
SERVICE WORKING CAPITAL						
512	480	Service Division	$ 9,054	$ 163	$ 3,524	$ 5,538
SELF INSURANCE FUND						
750	040	Risk Management	$ 1,947	$ -	$ -	$ 857

SECTION II - BENEFIT ADJUSTMENTS

Fund No.	Dept. No.	Fund Title	Unemployment Insurance Acct 407.00	Life Ins. Mgt. G.P. Acct 423.01	Disability Insurance 423.03
101	640	General	$ 6,638	$ 1,344	$ 7,244
209	570	Parking	40	21	56
211	500	Water	261	41	497
212	520	Sewer	320	28	666
218	60	DID	100	-	14
224	185	HCDA	75	16	118
230	460	Airport	72	74	101
350	490	Bus Service	76	7	145
350	590	Bus Service	54	-	23
511	151	Purchasing Revolving	42	6	63
512	480	Work. Cap.	142	13	279
750	040	Self Insurance	23	10	43
			$ 7,843	$ 1,560	$ 9,249

Fund No.	Dept. No.	Fund Title	Deferred Comp. Acct 424.01	PERS Acct 425.00	Group Health Acct. 426.00
101	640	General	$119,560	$181,749	$ 81,453
209	570	Parking	432	1,367	580
211	500	Water	2,652	8,736	9,633
212	520	Sewer	9,085	11,507	7
218	60	DID	393	225	(367)
224	185	HCDA	1,769	2,730	933
230	460	Airport	2,039	836	1,319
350	490	Bus Service	867	2,840	2,168
350	590	Bus Service	19	570	1,121
511	151	Purchasing Revolving	823	1,543	725
512	480	Work. Cap.	2,200	4,675	4,791
750	040	Self Insurance	414	513	652
			$133,019	$217,291	$103,015

SECTION III - OTHER ADJUSTMENTS

A. Revenue Estimates

Fund	*Account*	*Account Title*	*Increase (Decrease)*
205	208.01	Local Transportation Allocation (Reestimate revenue relating to CIP carryover projects)	$ 502,862
219	236.00	CETA Grant Title II	(313,713)
	238.00	CETA Grant Title IV (To adjust CETA estimated revenues for the anticipated termination of City participation on 9-30-79)	(599,230)
230	255.00	FAA Grants	(28,350)
306	270.00	State Grant (To cancel estimate for State aeronautics annual allocation and adjust for change in revenue source)	28,350
350	208.00	Local Transportation Fund	(604,924)
	221.00	County Transportation Allocation	65,100
	260.02	Transportation Grant	745,843
	511.01	Interest on Bank Accounts (To realign revenue estimates in accordance with UMTA and CALTRANS grant applications and increase estimates relating to the carryover of 5 Gillig coaches which were delivered late, have not been accepted, and will not be paid for until FY 79-80)	(700)

B. Interfund Transfers

To 230 Airport Fund From:

306 Special Aviation Fund — 88,816

(To correct original transfer estimate relating to CIP project carryovers)

To 321 Special Fund for Capital Outlay From: — 5,000

611 Revenue Sharing Fund

(To transfer estimated increase in interest earnings to Fund 321 where related projects are appropriated)

C. Expenditure Appropriations

Fund	Dept	Account	Account Title	Increase (Decrease)
101	350	110.00	Salaries & Wages	$ 13,633
101	350	9491.00	Service Credits	(13,633)
			(CETA Replacement - provides for position of Parks Maintenance Worker I who will perform maintenance services at Tuolumne River Regional Park on a fully reimburseable basis. Position approved by Council during budget hearings was inadvertently omitted from the final budget adopted on 6-19-79.)	
101	640	423.01	Life Insurance-Mgmt. Group	(843)
209	570	423.01	Life Insurance-Mgmt. Group	301
224	185	423.01	Life Insurance-Mgmt. Group	219
230	460	423.01	Life Insurance-Mgmt. Group	191
350	590	423.01	Life Insurance-Mgmt. Group	89
511	151	423.01	Life Insurance-Mgmt. Group	80
512	480	423.01	Life Insurance-Mgmt. Group	182
			(Redistribution of Management Insurance requirements to appropriate Funds.)	
350	590	232.00	Transportation Operating Contract	179,740
			(To adjust for increased TRIPS Contract costs due to cost of living salary adjustments.)	
512	480	219.00	Equipment Rental Credits	(57,116)
			(Increase Service Division income for authorized supplemental equipment purchases.)	
101	350	5416.02	Timer Controllers	1,876
			(Carryover - accelerated purchase of training pool filtration units could not be fully executed during FY 78-79.)	
101	370	235.00	Services and Prof. Other	500
101	380	224.00	M & R Buildings & Grounds	5,000
			(Carryover - Contract for recarpeting of 9 Hole and Dyrden Golf Courses could not be submitted for bid prior to June 30, 1979.)	

Fund	Dept	Account	Account Title	Increase (Decrease)
218	060	6270.00	Tree Base Grids	$ 1,741
			(Carryover - the above DID project should have been included as part of the previous carryover adjustment approved by Council on 6-19-79.)	
350	590	6006.00	Medium Size Buses (5)	393,195
			(Carryover - Payment on these coaches to be deferred to FY 79-80 due to non-acceptance resulting from mechanical problems.)	
321	410	6050.00	City Hall Expansion Furnishings	6,792
			(Carryover - Final purchase orders could not be executed during FY 78-79 for furniture to be located in Council room, conference room and City Manager's office.)	
101	090	5501.00	Portable Chalk Board	235
			(Carryover - purchase of item deferred to August 1979.)	

CETA Accounts should be revised to read:

			CETA (Title II)	CETA (Title VI)
219	110-00	Salary and Wages Regular	$ 78,750	$152,573
	199-01	Deferred Comp 2%	1,607	3,114
	411-00	Comp Insurance	3,897	7,552
	422-00	Dental Insurance	1,100	1,801
	423-00	Group Life Insurance	130	202
	423-02	Group Life $10,000	508	781
	423-03	Disability Insurance	1,046	2,027
	424-01	Deferred Comp 1%	804	1,557
	425-00	PERS Contribution	11,021	21,355
	426-00	Health Insurance	5,708	8,781
		Department Total	$104,571	$199,743

(To adjust CETA appropriations for anticipated termination of City participation on 9-30-79.)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-713

A RESOLUTION APPROVING THE FINAL MAP OF THE LAMATIS INDUSTRIAL CENTER SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, James Lamatis, aka Jim Lamatis, and Mary Lamatis, husband and wife; Angelo R. Pierini and Leonora F. Pierini, husband and wife; and Gus G. Simvoulakis and Helen M. Simvoulakis, husband and wife

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 55.051 acres, known as the Lamatis Industrial Center Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 15th day of August, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Lamatis Industrial Center Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-714

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,170 FROM GENERAL RESERVE TO PURCHASE TICKET DISPENSERS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Parking Fund Reserve (60 800 209)	$1,170
TO:	Parking Fund Ticket Dispensers (570 209)	$1,170

Funds needed to purchase ticket dispensers for use on the 10th and K (Strand) parking lot and 9th and I (former Book Nook) parking lot.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-715

A RESOLUTION ESTABLISHING MUNICIPAL OFF-STREET PARKING FACILITIES, PROVIDING FOR CONTROL THEREOF, AND RESCINDING RESOLUTION NO. 77-1143.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. PARKING METER LOTS. The municipal off-street parking facilities specified on Exhibit "A" attached hereto are hereby established as parking meter lots to be controlled by parking meters. Parking time limits, rates of fees, and monthly fees for parking passes for said parking meter lots shall be as shown on Exhibit "A". Said Exhibit "A" is hereby incorporated by reference and made a part of this resolution.

SECTION 2. ATTENDANT LOTS. (a) The following municipal off-street parking facilities are hereby established as parking attendant lots:

(1) PAL-2 east side of 9th Street between I and J Streets

(2) PAL-4a west side of 11th Street between H and I Streets (street level)

(b) Vehicular parking on said parking attendant lots shall be controlled and regulated by parking attendants as follows:

(1) PAL-2 from 9:00 A.M. to 9:00 P.M., Monday through Saturday

(2) PAL-4a from 8:00 A.M. to 9:00 P.M., Monday through Saturday

(c) The rate of ten cents (10¢) per hour or fraction thereof, unless validated in accordance with the provisions of Section 3-2.1604 of the Modesto Municipal Code, is hereby established for said parking attendant lots PAL-2 and PAL-4a.

(d) The price for validation stamps to be used with the validation system on parking attendant lots as provided by Section 3-2.1604 of the Modesto Municipal Code shall be fifteen cents (15¢) per stamp.

(e) The rate of five cents (5¢) per hour, or fraction thereof, when validated by the Stanislaus County Clerk for parking by persons serving on trial juries, is hereby established for parking attendant lot PAL-2.

(f) The Director of Parking and Traffic may designate spaces in parking attendant lots for the free parking of bicycles. When appropriate signs are erected, bicycles may be parked in such areas without charge.

(g) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking attendant lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Ten and no/100ths ($10.00) Dollars.

SECTION 3. PARKING TICKET LOTS. (a) The following municipal off-street parking facilities are hereby established as parking ticket lots:

(1) PTL-20 — east side of 10th Street between G and H Streets and south of PTL-23, (Old City Hall)

(2) PTL-23 — east side of 10th Street between G and H Streets (Brack-Griffin)

(3) PTL-34 — southwest corner of 10th and K Streets

(4) PTL-37 — northeast corner of 9th and I Streets

(b) Vehicular parking on said parking ticket lots PTL-20, PTL-23, PTL-34 and PTL-37 shall be controlled by means of ticket dispensing devices from 9:00 A.M. to 4:30 P.M., Monday through Saturday.

(c) The rate of twenty-five cents (25¢) per day or fraction thereof is hereby established for said parking ticket lots PTL-20, PTL-23, PTL-34 and PTL-37.

(d) Monthly parking passes may be authorized by the Director of Parking and Traffic on any parking ticket lot when it does not encroach on the needs of shopper parking. The monthly charges for such passes shall be Five and no/100ths ($5.00) Dollars.

SECTION 4. FREE PARKING LOTS. The following municipal off-street parking facilities shall be free parking lots:

(a)	PL-10	east side of 8th Street between I and K Streets
(b)	PL-15	east side of 11th Street between F and G Streets (north of Fire Station #1)
(c)	PL-16	east side of 11th Street between F and G Streets (south of Fire Station #1)
(d)	PL-31	between Downey Avenue, H, I, and 17th Streets (Lincoln School site)

SECTION 5. REPEALS. Resolution No. 77-1143 adopted November 7, 1977, is hereby repealed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

PARKING METER LOT NUMBER	LOCATION	NUMBER OF SPACES	TIME LIMITS & FEE CLASSIFICATION	FEES FOR MONTHLY PASSES
1. PML-3	Southeast corner of 12th and "I" Streets.	44	PM-9	$10.00
2. PML-4b	Lower level, 11th Street between "H" and "I" Streets.	42	PM-6	$10.00
3. PML-11	Southwest corner of 10th and "H" Streets.	32	PM-8	$10.00
4. PML-12	East side of 9th Street between "J" and "K".	62	PM-2	$10.00
5. PML-21	Southwest corner of 11th and "K" Streets.	78	PM-11	$12.50
6. PML-24	Southeast corner of 9th and "J" Streets.	15	PM-6	$10.00
7. PML-25	Southeast corner of 9th and "I" Streets.	56	PM-6	$ 5.00
8. PML-27	Southern Pacific Depot between "I" and "K" Streets.	127	PM-4	$ 4.00
9. PML-28	West side of 11th Street between "I" and "J" Streets	66	PM-2	$10.00
10. PML-30	East side of 12th Street between "J" and "K" Streets.	30	PM-9	$ 5.00
11. PML-32	East side of 10th Street between "J" and "K" Streets.	22	PM-2	$10.00
12. PML-33	Northeast corner of 10th and "H" Streets.	58	PM-6	$ 7.00
13. PML-34	Southwest corner of 10th and "K" Streets.	29	PM-6	$ 7.50
14. PML-35	County Administration Lot, between 11th, 12th, "G" and "H" Streets	71	PM-12	$10.00

Exhibit "A", page 1

TIME LIMITS AND RATES OF FEES

PM-2	:	Three (3) hour limit, 9 a.m. to 10 p.m. daily; five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-3	:	No time limit, 9 a.m. to 10 p.m. daily; five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-4	:	No time limit, 7:30 a.m. to 5 p.m., Sundays excepted; five (5¢) cents per two and one-half (2-1/2) hours or fraction thereof.
PM-5	:	No time limit, 9 a.m. to 4:30 p.m., Sundays excepted; five (5¢) cents per one and one-half (1-1/2) hours or fraction thereof or thirty (30¢) cents for all day.
PM-6	:	Three (3) hour limit, 9 a.m. to 6 p.m., Sundays excepted; five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-7	:	No time limit, 9 a.m. to 10 p.m. daily; five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-8	:	Five (5) hour limit, 9 a.m. to 6 p.m. daily, five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-9	:	No time limit, 9 a.m. to 6 p.m., except Sundays; five (5¢) cents per one-half (1/2) hour or fraction thereof.
PM-10	:	No time limit, 9 a.m. to 10 p.m. daily; five (5¢) cents per hour or fraction thereof.
PM-11	:	No time limit, 9 a.m. to 9 p.m. daily, twenty-five (25¢) cents per hour or fraction thereof.
PM-12	:	Time limit as posted, either twenty-four (24) minute or one hour time limit, 8 a.m. to 5 p.m., except Saturdays and Sundays; one (1¢) cent per six (6) minutes or fraction thereof.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-716

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LARRY AND KAREN HOLMBOE FOR THE LEASE OF THE FORMER DOIDGE HOUSE LOCATED ON FUTURE DRY CREEK PARK AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Larry and Karen Holmboe **for** the lease of the former Doidge house located on future Dry Creek Park site **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-717

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LAW FIRM OF LITS, MULLEN, PEROVICH, SULLIVAN AND NEWTON AND C.M. SULLIVAN, JR. AS SPECIAL COUNSEL TO PROVIDE SERVICES IN CONNECTION WITH THE CONDEMNATION OF PROPERTY LOCATED AT 15TH AND I STREETS IN MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Litts, Mullen, Perovich, Sullivan and Newton and Mr. C.M. Sullivan, Jr. as Special Counsel **for** services in connection with the condemnation of property located at 15th and I Streets in Modesto (McHenry Mansion parking lot) **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th **day of** July, 1979, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-718

A RESOLUTION APPOINTING CAROLE DAVIS TO THE BOARD OF ZONING ADJUSTMENT AS THE PLANNING COMMISSION REPRESENTATIVE

WHEREAS, on January 12, 1976, Carole Davis was appointed to the Board of Zoning Adjustment for a term ending January 1, 1980; and

WHEREAS, on June 5, 1979, Carole Davis was appointed to the Planning Commission to complete an unexpired term ending January 1, 1980; and

WHEREAS, the Planning Commission by its Resolution No. 79-187, adopted on July 2, 1979, has recommended that Carole Davis be designated the Planning Commission's representative on the Board of Zoning Adjustment.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Carole Davis is hereby designated as the Planning Commission's representative on the Board of Zoning Adjustment with her term ending on January 1, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-719

A RESOLUTION APPOINTING MEMBER OF THE CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE, SEAT 5 (HELEN WHITE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Citizens Housing & Community Development Committee, Seat 5 for the respective term as indicated:

Helen F. White
628 Lenore Drive
Modesto, Ca. 95351

Term to expire 6/30/81

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Citizens Housing & Community Development Committee, Seat 5 and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-720

RE-
A RESOLUTION /APPOINTING MEMBERS OF THE HOUSING AND COMMUNITY DEVELOPMENT COMMITTEES

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is / are hereby appointed to the Housing and Community Development Committees for the respective term as indicated:

(SEE ATTACHED SCHEDULE "A")

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Housing and Community Development Committees and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 10th day of July, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

Marie Coe - Term to expire 6/30/83

HOUSING MAINTENANCE & COUNSELING SUBCOMMITTEE

Fleeta Raines - Term to expire 6/30/83

Dennis Wilson - Term to expire 6/30/83

REHABILITATION LOAN POOL SUBCOMMITTEE

Marie Coe - Term to expire 6/30/83

Glen Robison - Term to expire 6/30/83

NEIGHBORHOOD ADVISORY COMMITTEE #1

Willie Berry - Term to expire 6/30/83

Polly Cowings - Term to expire 6/30/83

SCHEDULE "A"
Applontments to HCDA

MODESTO CITY COUNCIL
RESOLUTION NO. 79-721

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF APPEAL BY THE FOURELS INVESTMENT COMPANY TO A BOARD OF ZONING ADJUSTMENT DECISION REGARDING APPLICATION OF JERRY SIMS FOR CONDITIONAL USE PERMIT IN H-1 ZONE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 7, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by The Fourels Investment Company to a Board of Zoning Adjustment decision regarding application of Jerry Sims for conditional use permit in H-1 Zone.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July **, 19** 79 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-722

A RESOLUTION SETTING TIME AND PLACE FOR HEARING AN APPEAL BY MOBIL OIL CORP. TO A BOARD OF ZONING ADJUSTMENT DECISION ON THE NUMBER AND LOCATION OF DRIVEWAYS AND HEIGHT OF SIGN AT PROPOSED SERVICE STATION AT CORNER OF BECKWITH AND SISK ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 7, 1979 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mobil Oil Corp. to a Board of Zoning Adjustment decision on the number and location of driveways and height of sign at proposed service station at corner of Beckwith and Sisk Roads.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-723

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FIVE ELECTRICALLY-OPERATED REGISTERING FARE BOXES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing five electrically-operated registering fare boxes **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-724

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR PURCHASING FIVE ADVANCED DESIGN BUSES

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing five advanced design buses **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 18, 1979, at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-725

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF MORRIS AVENUE FROM COLLEGE TO MCHENRY

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of Morris Avenue from College to McHenry Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 7, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-726

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR CONSTRUCTION OF ADDITIONAL RIP RAP ON OXIDATION POND LEVEES

WHEREAS, Resolution No. 79-606 , adopted by the Council of the City of Modesto on June 19, 1979 , approved the plans and specifications for the additional rip rap on oxidation pond levees

and authorized the calling for bids, and

WHEREAS, the bids received for the additional rip rap on oxidation pond levees

were opened at 11:05 a.m. on July 10, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Company in the amount of $13,725

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Company in the amount of $13,725

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-727

A RESOLUTION ACCEPTING THE BID OF FERRERO ELECTRIC FOR THE STREET LIGHT MODERNIZATION, ORANGE AVENUE POST TOP AREA

WHEREAS, Resolution No. 79-574 **, adopted by the Council of the City of Modesto on** June 12, 1979 **, approved the plans and specifications for the** street light modernization, Orange Avenue post top area

and authorized the calling for bids, and

WHEREAS, the bids received for the street light modernization, Orange Avenue post top area **were opened at** 2:05 p.m. on July 10, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Ferrero Electric in the amount of $74,760

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ferrero Electric in the amount of $74,760

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July ,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-728

A RESOLUTION ACCEPTING THE BID OF GORDON BERG, dba S.P.M. DEVELOPMENT COMPANY FOR INSTALLATION OF IRRIGATION AND LANDSCAPING AT EAST LA LOMA PARK

WHEREAS, Resolution No. 79-607 , adopted by the Council of the City of Modesto on June 19, 1979 , approved the plans and specifications for the installation of irrigation and landscaping at East LaLoma Park

and authorized the calling for bids, and

WHEREAS, the bids received for the installation of irrigation and landscaping at East LaLoma Park

were opened at 11:00 a.m. on July 10, 1979 and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of Gordon Berg, dba S.P.M. Development Company in the amount of $85,900

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of the S.P.M. Development Company in the amount of $85,900

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-729

A RESOLUTION ACCEPTING THE BID OF CALIFORNIA PAVEMENT MAINTENANCE COMPANY FOR CONSTRUCTION OF SLURRY SEAL, VARIOUS STREETS - 1979

WHEREAS, Resolution No. 79-573, adopted by the Council of the City of Modesto on June 12, 1979, approved the plans and specifications for the construction of slurry seal, various streets - 1979

and authorized the calling for bids, and

WHEREAS, the bids received for the construction of slurry seal, various streets - 1979

were opened at 11:05 a.m. on June 26, 1979, and later tabulated by the Director of Public Works for the consideration of the Council, and

WHEREAS, the Director of Public Works has recommended that the bid of California Pavement Maintenance Company in the amount of $149,959.23

be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of California Pavement Maintenance Company in the amount of $149,959.23

be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July,

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-730

A RESOLUTION ACCEPTING THE IMPROVEMENT OF PRESCOTT ROAD FROM BRIGGSMORE AVENUE TO PEACH DRIVE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** improvements on Prescott Road from Briggsmore Avenue to Peach Drive **has been completed by** McGaw Company

in accordance with the contract agreement dated August 7, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of improvements on Prescott Road from Briggsmore Avenue to Peach Drive **be accepted from said contractor,** McGaw Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $186,612.23 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-731

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER EXTENSION IN EAST ORANGEBURG FROM GLENBROOK TO PROSPECT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** subtrunk sewer extension in East Orangeburg Avenue from Glenbrook to Prospect **has been completed by** Western Pipeline Company, Inc.

in accordance with the contract agreement dated February 6, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer extension in East Orangeburg from Glenbrook to Prospect **be accepted from said contractor,** Western Pipeline Co., Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $81,196.40 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-732

A RESOLUTION ACCEPTING THE REPAINTING OF VARIOUS STREET LIGHT POLES AND MAST ARMS AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the** repainting of various street light poles and mast arms **has been completed by** Don L. Davis, Inc.

in accordance with the contract agreement dated April 17, 1979.

NOW, THEREFORE, BE IT RESOLVED that the repainting of various street light poles and mast arms **be accepted from said contractor,** Don L. Davis, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $8,532 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-733

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSIONS IN STANDIFORD AVENUE FOR VINEYARD SUBDIVISION AND IN WOODLAND AVENUE FOR SHASTA ESTATES SUBDIVISION AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extensions in Standiford Avenue for Vineyard Subdivision and in Woodland Avenue for Shasta Estates Subdivision has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated May 8, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extensions in Standiford for Vineyard Subdivision and in Woodland for Shasta Estates be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $9,692.20 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-734

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR RENOVATION OF PUMP STATION NO. 6

WHEREAS, Resolution No. 79-575, adopted by the Council of the City of Modesto on June 12, 1979, approved plans and specifications for the renovation of Pump Station No. 6, and authorized the calling for bids; and

WHEREAS, the bids received for the renovation of Pump Station No. 6, were opened at 11:00 a.m. on July 3, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the low bid of $109,866, submitted by Stanislaus Pump & Machinery Corporation is 24% above the engineer's estimate,is considered unacceptable,and it is therefore recommended that all bids be rejected.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the renovation of Pump Station No. 6, and opened in the Office of the City Clerk at 11:00 a.m. on July 3, 1979, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-735

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $6,678 FROM THE GENERAL RESERVE TO CAPITAL OUTLAY ACCOUNT FOR THE PURCHASE OF PACKER TRUCKS AND CLAW LOADERS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 321)	$6,678
TO:	Capital Outlay/Packer Trucks/ Claw Loaders (6438 410 321)	$6,678

This request is for a claw bucket which will be installed by City crews on an existing Weber Loader for Garden Refuse collection.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-736

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH C & C TRAILER AND BODY COMPANY FOR THE PURCHASE OF ONE CLAW BUCKET

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one claw bucket to be installed by city crews on an existing Weber Loader, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with C & C Trailer and Body Company for furnishing one claw bucket for the total price of $6,678.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ABSENT: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-737

A RESOLUTION DENYING THE APPEAL FILED BY GREGORY DEVELOPMENT FOR AN AMENDMENT TO PLANNED-DEVELOPMENT ZONE, P-D(133), PROPERTY LOCATED ON THE NORTH SIDE OF STANDIFORD AVENUE, WEST OF TULLY ROAD, TO ALLOW C-1 USES IN THE WESTERLY PORTION THEREOF. (GREGORY DEVELOPMENT COMPANY)

WHEREAS, a verified application for an amendment to the westerly portion of Planned Development Zone, P-D(133) to allow C-1 uses on the entire parcel was filed by Gregory Development Company on April 18, 1979, and

WHEREAS, said application was set for public hearing before the Planning Commission at its regular meeting of May 29, 1979, at which time it was continued to June 4, 1979, at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said continued hearing on June 4, 1979, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-157, denied the requested amendment to Planned Development Zone, P-D(133) to allow C-1 uses in the westerly portion thereof, for the following reasons:

1. The original P-D(133) which established a C-1 Zone use area and a P-O Zone use area was a logical solution to an area that was partially developed commercially in the County prior to annexation.

2. There is currently located at or near the Tully Road-Standiford Avenue intersection almost three times the commercial acreage recommended for this area by the Modesto Urban Area General Plan,

and

WHEREAS, an appeal was filed with the City Council of the City of Modesto by a letter dated June 8, 1979, from Gregory Development Company, to the decision of the Planning Commission denying its application for an amendment to the westerly portion

of P-D(133) to allow C-1 uses on the entire parcel located on the north side of Standiford Avenue, West of Tully Road, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on Tuesday, July 17, 1979, and

WHEREAS, at said meeting, said Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by Gregory Development Company to the decision of the Planning Commission, denying an amendment to the westerly portion of P-D(133) to allow C-1 uses on the entire parcel located on the north side of Standiford Avenue, West of Tully Road, should be denied for the reasons set forth in Planning Commission Resolution No. 79-157, quoted above, and that the decision of the Planning Commission denying the requested amendment to Planned Development Zone, P-D(133) should be affirmed, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to P-D(133),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Gregory Development Company to the decision of the Planning Commission, as set forth in Planning Commission Resolution No. 79-157, denying an amendment to the westerly portion of P-D(133) to allow C-1 uses on the entire parcel located on the north side of Standiford Avenue, West of Tully Road in the City of Modesto is denied, for the reasons set forth in Planning Commission Resolution No. 79-157, quoted above, and the decision of the Planning Commission denying the requested

amendment to Planned Development Zone, P-D(133) is hereby affirmed.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk, a Notice of Determination in regard to the environmental impact of the proposed rezoning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: Lang

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 738

A RESOLUTION APPROVING A COOPERATION AGREEMENT WITH THE HOUSING AUTHORITY OF STANISLAUS COUNTY REGARDING THE DEVELOPMENT, CONSTRUCTION AND OWNERSHIP OF LOW-RENT HOUSING IN THE CITY OF MODESTO.

WHEREAS, it is the policy of the City of Modesto to eliminate substandard and other inadequate housing, to prevent the spread of slums and blight, and to realize as soon as feasible the goal of decent homes in a suitable living environment for all of its citizens, and

WHEREAS, under the provisions of the United States Housing Act of 1937, as amended, the Housing Assistance Administration is authorized to provide financial assistance to local public housing agencies for undertaking and carrying out the development and operation of a low-rent housing that will assist in meeting this goal, and

WHEREAS, the Housing Authority of the County of Stanislaus has undertaken the establishment of low rent housing in the City of Modesto and proposes to establish not to exceed four hundred (400) dwelling units, and

WHEREAS, on November 7, 1978, the voters of the City of Modesto, by a majority vote, did approve such housing in accordance with the ARTICLE XXXIV of the Constitution of the State of California, and

WHEREAS, Section 34313 of the California Health and Safety Code, as amended, provides that no low-rent housing shall be developed, constructed or owned by the local public housing agency until the governing body of the City of Modesto, has by resolution, approved such project, and

WHEREAS, pursuant to provisions of the United States Housing Act of 1937, as amended, it is necessary that the City of Modesto enter into a Cooperation Agreement with the Housing Authority of Stanislaus County (hereinafter referred to as the "Local Authority") providing for local cooperation in connection with such low-rent housing, and

WHEREAS, pursuant to and in compliance with the provisions of Section 34518 of the California Health and Safety Code, the City Council of the City of Modesto did on the 19th day of June, 1979, adopt a resolution giving notice of a public hearing to be held on the 17th day of July, 1979, before the City Council for the purpose of giving all interested persons an opportunity to be heard as to whether such Cooperation Agreement should be entered into; and the City Clerk has had available at least three (3) copies of the proposed Cooperation Agreement for inspection by interested persons prior to the mentioned public hearing, and

WHEREAS, notices for said public hearing have been published as required by law, and the City Council of the City of Modesto has held a public hearing starting on or after the hour of 4:00 p.m. on the 17th day of July, 1979, giving all interested persons an opportunity to be heard as to whether the proposed Cooperation Agreement, in the form hereinafter set forth, should be entered into; which said hearing has been concluded with all matters in connection therewith having been fully considered by the City Council,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Modesto as follows:

1. There exists in the City of Modesto a need for such low-rent housing at rents within the means of low income families or persons.

2. The City Council does hereby approve the development, construction, and ownership by the Local Authority of the project as defined in Paragraph 1 (a) of the Cooperation Agreement, a copy of which is attached hereto and marked Exhibit "A".

3. The City Council, after having held a public hearing and giving all interested persons an opportunity to be heard, hereby determines, pursuant to the provisions of the California Housing Cooperation Law (being Chapter 2 of Part 2 of Division 24 of the California Health and Safety Code), to enter into a Cooperation Agreement in substantially the form attached hereto as Exhibit "A" with the Local Authority. The City Manager is hereby authorized and directed to execute such Cooperation Agreement in the name of and on behalf of the City of Modesto and the City Clerk is hereby authorized and directed to affix or impress the official seal of the City of Modesto thereon and to attest the same. Such Cooperation Agreement shall be in substantially the form attached hereto and marked Exhibit "A" and made a part hereof.

4. This resolution shall become effective immediately.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

COOPERATION AGREEMENT

THIS AGREEMENT, entered into this _____ day of _____, 1979, by and between the HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS (hereinafter called the "Local Authority" or "LHA"), a Public Housing Agency of PHA as defined in the U. S. Housing Act of 1937, as amended, and the CITY OF MODESTO (hereinafter called the "Municipality"),

WITNESSETH:

In consideration of the mutual covenants hereinafter set forth, the parties hereto do agree as follows:

1. Whenever used in this Agreement:

(a) The term "Project" shall mean any low-income housing hereafter developed or acquired by the Local Authority with financial assistance of the United States of America acting through the Secretary of the Housing and Urban Development (hereinafter called the "Government"); excluding, however, any low-income housing project covered by any contract for loans and annual contributions entered into between the Local Authority and the Government, or its predecessor agencies, prior to the date of this Agreement. Further, the term, "Project", means a "low rent housing project" as that term is used in Article XXXIV of the Constitution of the State of California.

(b) The term "Taxing Body" shall mean the State or any political subdivision or taxing unit thereof in which a Project is situated and which would have authority to assess or levy real or personal property taxes or to certify such taxes to a taxing body or public officer to be levied for its use and benefit with respect to a Project if it were not exempt from taxation.

Exhibit "A"

(c) The term "Shelter Rent" shall mean the total of all charges to all tenants of a Project for dwelling rents and nondwelling rents (excluding all other income of such Project), less the cost of the Local Authority of all dwelling and nondwelling utilities.

2. The Local Authority shall endeavor to (a) secure a contract or contracts with the Government for loans and annual contributions covering one or more Projects compromising approximately 400 units of low-income housing, and (b) to develop or acquire and administer such Project or Projects, each of which shall be located within the corporate limits of the Municipality. The obligations of the parties hereto shall apply to each such Project.

3. (a) Under the Constitution and statutes of the State of California, all Projects are exempt from all real and personal property taxes and special assessments levied or imposed by any Taxing Body. With respect to any Project, so long as either (i) such Project is owned by a public body or governmental agency and is used for low-income housing purposes, or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection with such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such Project remain unpaid, whichever period is the longest, the Municipality agrees that it will not levy or impose any real or personal property taxes or special assessments upon such Project or upon the Local Authority with respect thereto. During such period, the Local Authority shall make annual payments (hereinafter called "Payments in Lieu of Taxes") in lieu of such taxes and special assessments and in payment for the public services and facilities furnished from time to time without other costs or charges for or with respect to such Project.

(b) Each such annual Payment in Lieu of Taxes shall be made after the end of the fiscal year established for such Project, and shall be in an amount equal to either (i) ten percent (10%) of the Shelter Rent actually collected but in no event to exceed ten percent (10%) of the Shelter Rent charged by the Local Authority in respect to such Project during such fiscal year, or (ii) the amount permitted to be paid by applicable State law in effect on the date such payment is made, whichever amount is lower.

(c) The Municipality shall distribute the Payments in Lieu of Taxes among the Taxing Bodies in the proportion which the real property taxes which would have been paid to each Taxing Body for such year if the Project were not exempt from taxation bears to the total real property taxes which would have been paid to all the Taxing Bodies for each such year if the Project were not exempt from taxation; provided, however, that no payment for any year shall be made to any Taxing Body in excess of the amount of the real property taxes which would have been paid to such Taxing Body for such year if the Project were not exempt from taxation.

(d) Upon failure of the Local Authority to make any Payment in Lieu of Taxes, no lien against any Project or assets of the Local Authority shall attach, nor shall any interest or penalties accrue or attach on account thereof.

4. During the period commencing with the date of the acquisition of any part of the site or sites of any Project and continuing so long as either (i) such Project is owned by a public body or governmental agency and is used for low-income housing purposes, or (ii) any contract between the Local Authority and the Government for loans or annual contributions, or both, in connection wich such Project remains in force and effect, or (iii) any bonds issued in connection with such Project or any monies due to the Government in connection with such

Project remain unpaid, whichever period is the longest, the Municipality without cost or charge to the Local Authority or the tenants of such Project (other than the Payments in Lieu of Taxes), shall:

(a) Furnish or cause to be furnished to the Local Authority and the tenants of such Project public services and facilities of the same character and to the same extent as are furnished from time to time without cost or charge to other dwellings and inhabitants in the Municipality;

(b) Insofar as the Municipality may lawfully do so, vacate such streets, roads, and alleys within the area of such Project as may be necessary in the development thereof, and convey without charge to the Local Authority such interest as the Municipality may have in such vacated area; and, insofar as it is lawfully able to do so without cost or expense to the Local Authority or to the Municipality, cause to be removed from such vacated areas, insofar as it may be necessary, all public or private utility lines and equipment;

(c) Insofar as the Municipality may lawfully do so, (i) grant such deviations from the building code of the Municipality as are reasonable and necessary to promote economy and efficiency in the development and administration of such Project, and at the same time safeguard health and safety, and (ii) make such changes in any zoning of the site and surrounding territory of such Project as are reasonable and necessary for the development and protection of such Project and the surrounding territory;

(d) Accept grants of public easement(s) necessary for the development of such Project; and,

(e) Cooperate with the Local Authority by such other lawful action or ways as the Municipality and the Local Authority may find necessary in connection with the development and administration of the Project.

5. In respect to any Project the Municipality further agrees that within a reasonable time after receipt of a written request therefor from the Local Authority;

(a) It will accept the dedication of all interior streets, roads, alleys, and adjacent sidewalks within the area of such Project, together with all storm and sanitary sewer mains in such dedicated areas, after the Local Authority, at its own expense, has completed the grading, improvement, paving, and installation thereof in accordance with specifications acceptable to the Municipality;

(b) It will accept necessary dedications of land for, and will grade, improve, pave, and provide sidewalks for, all streets bounding such Project or necessary to provide adequate access thereto (in consideration whereof, the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned); and,

(c) Insofar as the Municipality may lawfully and physically do so, it will provide, or cause to be provided, water mains, and storm and sanitary sewer mains, leading to such Project and serving the bounding streets thereof (in consideration whereof the Local Authority shall pay to the Municipality such amount as would be assessed against the Project site for such work if such site were privately owned).

6. If by reason of the Municipality's failure or refusal to furnish or cause to be furnished any public services or facilities which it has agreed hereunder to furnish or to cause to be furnished to the Local Authority or to the tenants of any Project, the Local Authority incurs any expense to obtain such services or facilities then the Local Authority may deduct the amount of such expense from any Payments in Lieu of Taxes due or to become due to the Municipality in respect to any Project or any other low-income housing projects owned or operated by the Local Authority.

7. No Cooperation Agreement heretofore entered into between the Municipality and the Local Authority shall be construed to apply to any Project covered in this Agreement.

8. No member of the governing body of the Municipality or any other public official of the Municipality who exercises any responsibilities or functions with respect to any Project during his tenure or for one year thereafter shall have any interest, direct or indirect, in any Project or any property included or planned to be included in any Project, or any contracts in connection with such Projects or property. If any such governing body member or such other public official of the Municipality involuntarily acquires or had acquired prior to the beginning of his tenure any such interest, he shall immediately disclose such interest to the Local Authority.

9. So long as any contract between the Local Authority and the Government for loans (including preliminary loans) or annual contributions or both, in connection with any Project remains in force and effect, or so long as any bonds issued in connection with any Project or any monies due to the Government in connection with any Project remain unpaid, this Agreement shall not be abrogated, changed, or modified without the consent of the Government. The privileges and obligations of the Municipality hereunder shall remain in full force and effect with respect to each Project so long as beneficial title to such Project is held by the Local Authority or by any other public body or government agency, including the Government, authorized by law to engage in the development or administration of low-income housing projects. If at any time the beneficial title to, or possession of, any Project is held by such other public body or governmental agency, including the Government, the provisions hereof shall inure to the benefit of, and may be enforced by, such other public body or governmental agency, including the Government.

IN WITNESS WHEREOF, the Municipality and the Local Authority have respectively signed this Cooperation Agreement and caused their Seals to be affixed and attested as of the day and year first written above.

CITY OF MODESTO, CALIFORNIA

By: GARTH LIPSKY, City Manager

(SEAL)

ATTEST:

CITY CLERK

HOUSING AUTHORITY OF THE COUNTY OF STANISLAUS

By: CHAIRMAN OF THE BOARD OF COMMISSIONERS

(SEAL)

ATTEST:

SECRETARY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-739

A RESOLUTION ACCEPTING THE BID OF LINDY KEIRN IN THE AMOUNT OF $20,000 FOR THE PURCHASE OF PROPERTY LOCATED AT 608 BRIGHTON AVENUE IN THE CITY OF MODESTO

WHEREAS, Resolution No. 79-605, adopted by the Council of the City of Modesto on June 19, 1979, approved the sale of a house to be moved from land acquired for Brighton Avenue realignment, at 608 Brighton Avenue; and

WHEREAS, written bids for the sale of the building at 608 Brighton Avenue were set for opening at 10:00 a.m. on July 17, 1979; and

WHEREAS, the high bid of $20,000 was submitted by Lindy Keirn, 2940 Whitmore Avenue, Ceres, California, for the building located at 608 Brighton Avenue, Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the high bid of Lindy Keirn, in the amount of $20,000 for the purchase of a building located at 608 Brighton Avenue, is hereby accepted.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-740

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE DEVELOPER OF FRANSEN ESTATES SUBDIVISION TO PROVIDE REIMBURSEMENT OF WATER AND SEWER CONNECTIONS BY PARCELS OUTSIDE HIS SUBDIVISION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the developer of Fransen Estates Subdivision to provide reimbursement to him of water and sewer connections by parcels outside his subdivision

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 741

A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND RESCINDING RESOLUTION NO. 77-422

WHEREAS, Section 7-3.401 of the Modesto Municipal Code authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. A	$39.00 per unit per month.
Hangar No. B	$41.00 per unit per month.
Hangar No. C	$41.00 per unit per month.
Hangar No. D	$41.00 per unit per month.
Hangar No. E	$45.00 per unit per month.
Hangar No. F	$45.00 per unit per month.
Hangar No. G	$53.00 per unit per month.
Hangar No. H	$53.00 per unit per month.

A five (5%) percent discount will be made in any of the above rental charges when a year's lease is entered into and the year's rental charges are paid in advance.

wpc

(b) Storage Hangars:

Hangar No. 1 . . . . . $340.00 per month.

Hangar No. 2 . . . . . $169.00 per month.

Hangar No. 3 . . . . . $176.00 per month.

Hangar No. 4 . . . . . $208.00 per month.

Hangar No. 5 . . . . . $264.00 per month.

Hangar No. 6 . . . . . $160.00 per month.

SECTION 2. TIE DOWN FEES. Tie down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Tie-Down - Permanent, light single engine (under 12,500 lbs) $15 per month. (FBO rates $11 per month.)

(b) Tie-Down - Permanent, light multi-engine (under 12,500 lbs) $22 per month. (FBO rates $17 per month.)

(c) Tie-Down - Permanent, large multi-engine (over 12,500 lbs) $33 per month except large four-engine.

(d) Tie-Down - Permanent, large four-engine aircraft (over 12,500 lbs) $44 per month.

(e) Tie-Down - Transient, light single-engine aircraft (under 12,500 lbs) $2 per day.

(f) Tie-Down - Transient, light multi-engine aircraft (under 12,500 lbs) $4 per day.

(g) Tie-Down - Transient, large multi-engine aircraft (over 12,500 lbs) $6 per day.

(h) Tie-Down - Transient, large four-engine aircraft (over 12,500 lbs) $8 per day.

A five (5%) percent discount will be made in the rental charges set forth in subparagraphs (a), (b), (c), and (d) above when a year's lease is entered into and the year's rental charges are paid in advance.

Overnight tie downs of aircraft belonging to or in the custody or possession of lessee shall be subject to the normal tie down charge as specified by this section.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport/Harry Sham Field is hereby established as follows:

(a) Office Building No. 1 . . . . . $275.00 per month.

(b) Office Building No. 2, Suite A . . . . . $143.00 per month.

(c) Office Building No. 2, Suite B . . . . . $77.00 per month.

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All light single and multi-engine aircraft, $5 per landing.

(b) All large single and multi-engine aircraft, $.30 per 1,000 pounds gross weight, but not less than $5 per landing.

(c) All other aircraft not based at the Modesto City-County Airport/Harry Sham Field, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

(d) No landing fee shall be charged for any aircraft which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport/Harry Sham Field shall pay to the City the sum of Two Hundred Twenty and no/100ths ($220.00)

Dollars per year, payable in advance, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable on a fiscal year basis.

If said business is commenced after the beginning of the fiscal year, the fee provided above shall be prorated as of the date of commencement of said business.

SECTION 6. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/ Harry Sham Field, shall pay to the City a license fee in the sum of Two Hundred and no/100ths ($200.00) Dollars, payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths ($90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 7. PENALTIES. A five (5%) percent penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable.

SECTION 8. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after August 1, 1979.

SECTION 9. REPEALS. Resolution No. 77-422 adopted April 18, 1977, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July,

1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers;	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-742

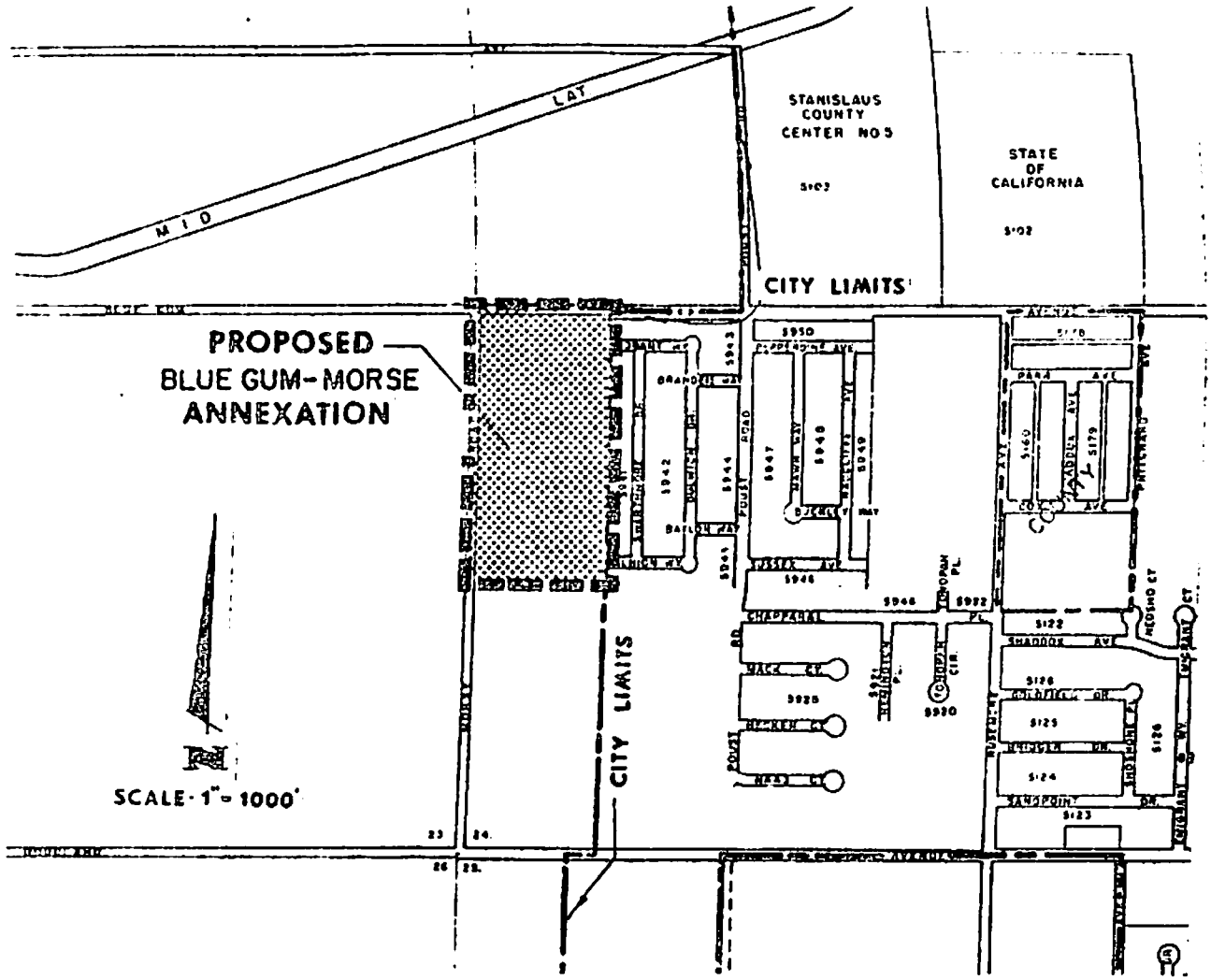
A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE BLUE GUM-MORSE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Blue Gum - Morse Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



PROPOSED
BLUE GUM – MORSE
ANNEXATION

TO THE CITY OF MODESTO

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Blue Gum - Morse Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None

MODESTO CITY COUNCIL
RESOLUTION NO. 79-443

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (KEITH R. DAMON)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 2, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 22-3-9 of the Zoning Map, to rezone from R-1 to R-2 property located at the southwest corner of Rose Avenue and Briggsmore

the following described property:

All of Section 22, Township 3 South, Range 9 East, Mount Diablo Base and Meridian described as follows:

Beginning at the intersection of the South line of Briggsmore Avenue and the centerline of Rose Avenue; thence South 0° 35' East along said centerline of Rose Avenue 107.07 feet; thence South 89° 53' West 231.69 feet; thence North 0° 07' West 107.82 feet to said South line of Briggsmore Avenue; thence North 89° 59' 20" East 231.20 feet to the point of beginning.

Including also the Southerly 30 feet of Briggsmore Avenue immediately adjacent to the above described property.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-191 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 22-3-9 of the Zoning Map be set for August 14, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-744

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (BIG VALLEY BROADCASTING)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 2, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D(237) property located on the south side of Norwegian Avenue, west of Coffee Road the following described property:

All that portion of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel "A" as shown on the map filed in Book 21 of Parcel Maps at Page 81, in the Stanislaus County Records.

Also all of the Southerly 30 feet of Norwegian Avenue immediately adjacent to said Parcel "A".

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-190 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 of the Zoning Map be set for August 14, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Cozzle
NORRINE COZZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-745

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 17-3-9 OF THE ZONING MAP (LAPATA INTERNATIONAL, LTD.)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 2, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to P-D(236) property located on the east side of Sherwood Avenue, south of Bowen Avenue the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-188 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 17-3-9 of the Zoning Map be set for August 14, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

County of Stanislaus, State of California: That portion of Lot 5 of the FRESNO TRACT, as per map filed March 14, 1903, in Volume 1 of Maps, Page 76, and as said Lot is shown on the Map of Resurvey of Lot 5 of FRESNO TRACT, filed on May 19, 1941, in Volume 3 of Surveys, Page 26, described as follows, to-wit:

COMMENCING at the Northwest corner of said Lot 5 of FRESNO TRACT and running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 143.46 feet to the point of beginning of this description; thence running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 123.47 feet to a point; thence North 89° 27' East 398.03 feet to a point in the centerline of irrigation ditch, thence along the centerline of said irrigation ditch, North 1° 28' West, 117.53 feet to a point; thence running in a Westerly direction in a straight line from said last named point to the point of beginning.

SCHEDULE "A"
LAPATA INTERNATIONAL, LTD.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-746

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND MALINDA McCUMBER FOR THE ACQUISITION OF A 4,375± SQUARE FOOT LOT FROM HER FOR THE ASSEMBLAGE OF THE LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Malinda McCumber for the acquisition of a 4,375± square foot lot from her for the assemblage of the Lincoln School site is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-747

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $57,000 FOR THE ACQUISITION OF A PARCEL OF LAND NEEDED FOR THE LINCOLN SCHOOL SITE AREA

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (061 800 321)	$57,000
TO:	Capital Outlay/Parks and Recreation (6406 270 321)	$57,000

Funds are needed for the acquisition of one of two remaining parcels of land to complete the Lincoln School site area land acquisition project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-748

A RESOLUTION ACCEPTING IMPROVEMENTS IN GOOD KARMA ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Mike G. and Patricia J. Fisher subdividers of Good Karma Estates Subdivision, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $37,900 and $18,950 respectively to guarantee improvements in Good Karma Estates Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 5, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instrument of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The Improvements in Good Karma Estates Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $37,900 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $18,950 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-749

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A FUNDING APPROVAL UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED

BE IT RESOLVED by the Council of the City of Modesto that the receipt and acceptance of the approved funding for 1979-80 under Title I of the Housing and Community Development Act of 1974 as amended, is hereby approved.

BE IT FURTHER RESOLVED that the execution of the grant agreement by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-750

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (REX PROPERTIES)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 to P-D(233) to allow a 48-unit apartment complex, property located on the north side of Rumble Road, west of Conant

the following described property:

All that certain real property situate in the Southwest quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Parcel 1 as shown on that certain parcel map filed for record on December 16, 1975, in Book 22 of Parcel Maps, Page 28, Stanislaus County Records.

Also including the north half of Rumble Road contiguous to said Parcel 1.

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-177 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for August 14, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-751

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE ALLIANZE INSURANCE COMPANY FOR INSURANCE COVERAGE FOR THE MODESTO TRANSIT SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Allianze Insurance Company **for** insurance coverage for the Modesto Transit System to cover the first $200,000 of liability insurance. **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 17th **day of** July, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Acting Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-752

A RESOLUTION APPROVING IMPROVEMENTS FOR WASTEWATER TREATMENT AND DISPOSAL FACILITIES OF THE CITY OF MODESTO.

WHEREAS, the City of Modesto received a Preliminary Project Report from Jenks and Adamson Consulting Sanitary and Civil Engineers dated May, 1976 recommending improvements to the City's wastewater treatment and disposal facilities, and

WHEREAS, the City of Modesto received a Draft Environmental Impact Report from J. B. Gilbert and Associates, dated June, 1976 which evaluated the environmental impacts of alternative projects described in said Preliminary Project Report, and

WHEREAS, a hearing was held on July 12, 1976 by the City Council to consider said Preliminary Project Report and Draft Environmental Impact Report, and

WHEREAS, a hearing was held on October 11, 1976 by the City Council to consider the completed Project Report from Jenks and Harrison Consulting Sanitary and Civil Engineers dated August, 1976, the recommended project, and the Final (Supplement to) Environmental Impact Report from J. B. Gilbert and Associates dated September, 1976, and

WHEREAS, at said October 11, 1976 hearing the City Council approved the recommended project improvements described in the completed Project Report (Modesto City Council Resolution No. 76-1130), and

WHEREAS, at said October 11, 1976 hearing the City Council certified that it reviewed and considered the Final Environmental Impact Report in regard to the environmental impact of the recommended project (Modesto City Council Resolution No. 76-1131), and

WHEREAS, the City of Modesto received a Draft Project Report Supplement dated July, 1978 from Jenks and Harrison recommending the best alternative project for land disposal of wastewater effluent by agricultural irrigation, and

WHEREAS, the City of Modesto received a Draft (Subsequent) Environmental Impact Report dated June, 1978 from J. B. Gilbert and Associates which evaluated the environmental impacts of the alternative projects described in said Draft Project Report Supplement, and

WHEREAS, a hearing was held on August 7, 1978, by the City Council to consider said Draft Project Report Supplement and Draft Environmental Impact Report, and

WHEREAS, the City of Modesto received a completed Project Report Supplement dated February, 1979 from Jenks and Harrison, and

WHEREAS, the City of Modesto received a Final (Supplement to Subsequent) Environmental Impact Report dated January, 1979 from J. B. Gilbert and Associates, and

WHEREAS, funding for wastewater treatment facility improvements is included in the City of Modesto's Capital Improvement Program as Projects No. 617 and No. 778, and

WHEREAS, a Draft Environmental Impact Statement dated April, 1979 prepared by the United States Environmental Protection Agency with technical assistance by Jones and Stokes Associates, Inc. on Modesto Wastewater Facilities Improvement has been considered by this Council in addition to the City's Enviornmental Impact Reports, and

WHEREAS, this City Council has, by motion, noted that the following mitigation measures for the preservation of prime agricultural land presently exist:

1. Modesto Urban Area General Plan
2. Stanislaus County General Plan
3. Modesto Urban Growth Policy as revised to include Measure A
4. City commitment to Higher Residential Densities via the

Neighborhood Zoning and Development Prototype for new neighborhoods and use of the Planned Development (P-D) Zone for infilling

and

WHEREAS, this City Council has, by motion, declared its intent and directed the City's staff to initiate the necessary action to implement the following new mitigating measures identified in the environmental impact report review process:

1. Amend the Urban Growth Policy to contain a policy statement that all residential growth should be within the City.

2. Amend the Urban Growth Policy to contain a goal of increasing the residential density of the City from 6.6 units/net acre currently to 7.0 units/net acre by 1985.

3. Revise the General Plan to make Frazine Road the eastern boundary of the Urban Reserve between Yosemite Boulevard and Dry Creek rather than Bent Road as at present.

4. Expand and clarify the priority list for trunk sewer extensions as follows:

   a. Yosemite Trunk, Lincoln to Claus
   b. Yosemite Trunk, Claus to Frazine
   c. Sonoma Trunk, Floyd to Sylvan
   d. Lakewood Trunk, Briggsmore to Floyd
   e. Lakewood Trunk, Floyd to Sylvan
   f. Sonoma Trunk, Sylvan to Claribel
   g. Lakewood Trunk, Sylvan to Claribel
   h. Extensions of the North Trunk
   i. Development along the West Trunk from the Tuolumne River to the future 132 Highway alignment, west of Carpenter Road

5. Amend the Zoning Ordinance to make the R-1 Zone a density zone.

6. Amend the Zoning Ordinance to reduce minimum lot size in the R-1 and R-2 Zones to 5,000 square feet.

7. Amend the Zoning Ordinance to add a maximum lot size to the R-1 Zone.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Project Report dated August, 1976, and Project Report Supplement dated February, 1979, and the recommended project improvements for wastewater treatment and disposal facilities of the City of Modesto identified therein are hereby approved, and the Director of Public Works is directed to transmit said Project Reports to the State Water Resources Control Board.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file, or cause to be filed with the Stanislaus County Clerk, a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 19th day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-753

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MODIFICATION OF BUILDING NO. 1 AT THE CITY SERVICE YARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for modification of Building No. 1 at the City Service Yard **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 14, 1979, at 11:05 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-754

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN LAMATIS INDUSTRIAL CENTER

WHEREAS, Resolution No. 79-622 **, adopted by the Council of the City of Modesto on** June 26, 1979 **, approved the plans and specifications for the** construction of waterline extension in Lamatis Industrial Center **and authorized the calling for bids, and**

WHEREAS, the bids received for the construction of waterline extension in Lamatis Industrial Center **were opened at** 11:00 a.m. on July 17, 1979, **and later tabulated by the** Director of Public Works **for the consideration of the Council, and**

WHEREAS, the Director of Public Works **has recommended that the bid of** Joe Martin in the amount of $100,785 **be accepted as the lowest responsible bid.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin in the amount of $100,785 **be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July **,**

19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-755

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH THE BURROUGHS CORPORATION TO PURCHASE SIX DATA PROCESSING TERMINALS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of six data processing terminals is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with the Burroughs Corporation to purchase six data processing terminals for the total price of $18,054.77.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-756

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(232).
(JOAQUIN CONSTRUCTION)

WHEREAS, a verified application for an amendment to Section 26-3-9 of the Zoning Map was filed by Joaquin Construction on April 18, 1979, to prezone to Planned Development Zone, P-PD, the following described property:

ALL that certain real property situate in a portion of the Northeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the County of Stanislaus, State of California, described as follows:

COMMENCING at the East quarter corner of said Section 26, as shown on that certain map entitled "LINCOLN SQUARE" filed in Volume 24 of Maps at Page 36, Stanislaus County Records; thence the following two (2) courses and distances; (1) South 0°32'27" East, 10.00 feet; (2) South 89°57'33" East, 20.00 feet to the POINT OF BEGINNING and the center line intersection of Lincoln Avenue and Penny Lane as shown on said map; thence North 89°57'33" West along said center line of Penny Lane and its Northwesterly prolongation thereof, a distance of 1005.32 feet to the intersection with the Easterly line of Parcel 1 as shown on that certain parcel map filed in Volume 1 of Parcel Maps at Page 134, Stanislaus County Records; thence North 0°32'50" West along said Easterly line of Parcel 1, and along the Easterly line of Parcel 1-A as shown on said map, a distance of 559.01 feet; thence Northwesterly along said Easterly line of Parcel 1-A along a tangent curve to the left having a radius of 500.00 feet through a central angle of 20°27'21", an arc distance of 178.51 feet to the intersection with the Southeasterly right-of-way line of the Modesto Irrigation District Lateral No. 2 as shown on said map; thence along said Southeasterly right-of-way line of Lateral No. 2, a distance of 823.4 feet more or less; thence leaving said Southeasterly right-of-way line North 89°27'33" East, 380.00 feet, to the intersection with the said center line of Lincoln Avenue; thence South 0°32'27" East along said center line, a distance of 1231.0 feet to the point of beginning.

Containing. 24.8 acres of land more or less.

WHEREAS, after public hearing held on June 18, 19 79, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the neighborhood prototype in the General Plan.

2. The P-D plan and conditions of approval assure a degree of compatibility consonant with adjacent property and developments.

WHEREAS, after a public hearing held on July 24, 19 79, the Council found and determined that the application of Joaquin Construction for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1857 -C.S. on the 24th day of July, 19 79, prezoning the above-described property to Planned Development Zone, P-PD(232).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(232), is hereby approved in accordance with the plan titled "Valencia Plaza"

dated June 18, 1979, which said plan is on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled Plan on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That prior to occupancy of the premises, a six-foot high solid decorative masonry wall shall be constructed along the north boundary of the property, except that the recreational vehicle parking area shall be surrounded by an eight-foot high solid decorative masonry wall.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Lincoln Avenue to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall dedicate sufficient right-of-way to complete Lincoln Avenue to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That the required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

8. That Capistrano Drive shall be improved to at least 40-foot part-width residential street standards north of Penny Lane and to 40-foot part-width collector street standards between Penny Lane and El Pasado Drive.

9. That Penny Lane shall be improved to at least 40-foot part-width collector street standards.

10. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

11. That all private streets and parking areas in the condominium portion of the project shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

12. That all other parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

13. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

14. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

15. That all trash in the condominium area shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

16. That building plans for the patio homes shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

17. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

18. That all signs shall comply with the sign requirements of the R-1 (patio homes) and R-2 (condominiums) Zones.

19. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

20. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans. Both the patio homes and condominium owners shall have access to and maintenance responsibility for the recreational area and RV parking lot.

21. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

22. That the applicant obtain an easement or other legal agreement with the MID in a form approved by the City Attorney granting the property owners on the north side of Cordoba Way access to their rear walls along MID Lateral No. 2 for maintenance and repair purposes. In the event such an easement or agreement cannot be obtained, the applicant may submit a revised plan for approval which moves the rear building walls off the property line.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(232):

a. 59 patio homes: start by September 1, 1980, and complete by September 1, 1981.

b. 46 patio homes and 60 condominiums: start by September 1, 1981, and complete by September 1, 1982.

c. 54 condominiums: start by September 1, 1982, and complete by September 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(232) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Brickle
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-757

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 26-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. ('JOAQUIN CONSTRUCTION)

WHEREAS, on July 24, 1979, the City Council introduced Ordinance 1857 - C. S. giving approval to a project relating to an amendment to Section Map 26-3-9 of the Zoning Map of the City of Modesto to prezone certain property to Prezoned Planned Development Zone, P-PD(232), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 26-3-9 of the Zoning Map of the City of Modesto to prezone certain property to Prezoned Planned Development Zone, P-PD(232).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-758

A RESOLUTION GRANTING AN APPEAL OF MID-VALLEY ENGINEERING, INC., OVERRULING THE DECISION OF THE PLANNING COMMISSION, AND CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT.

WHEREAS, the tentative map of Wilshire Heights Subdivision was approved by the Planning Commission by its Resolution No. 79-181, adopted on June 18, 1979, subject to certain conditions as set forth in said resolution, and

WHEREAS, on July 3, 1979 an appeal was filed by Mid Valley Engineering, Inc. to Conditions No. 1 and 2 in said Planning Commission Resolution No. 79-181, and

WHEREAS, Conditions No. 1 and 2 of Planning Commission Resolution No. 79-181 require the elimination of Kerry Lynn Way and the continuation of Vicki Lynn Way, with access to the subdivision via East Orangeburg Avenue, and

WHEREAS, said appeal by Mid Valley Engineering was set for a public hearing by the City Council on July 24, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, at which time the Council found and determined that said appeal should be granted for the following reasons:

1. The extension of Kerry Lynn Way to Claus Road will facilitate the flow of traffic in the area.

2. The extension of Kerry Lynn Way to Claus Road will help to reduce the number of curb cuts that would otherwise occur along the Claus Road frontage of the multiple family portion of the subdivision.

and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby grants the appeal of Mid-Valley Engineering, Inc. for the reasons set forth above and modifies the Planning Commission's approval of the Wilshire Heights Subdivision, as set forth in Planning Commission Restolution No. 79-181, by modifying Conditions No. 1 and 2 thereof to read as follows:

"1. That direct vehicular access between Lot 59, Block 1754, and Claus Road shall be denied by appropriate notes on the final map.

2. That direct vehicular access between Lot 41, Block 1757, and Claus Road shall be limited to one driveway to be constructed in accordance with applicable provisions of the Municipal Code and as approved by the City Engineer. Said access limitation shall be noted on the final map."

BE IT FURTHER RESOLVED that all other conditions and provisions of Planning Commission Resolution No. 79-181 shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk, a Notice of Determination in regard to the environmental impact of the proposed subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-759

A RESOLUTION ESTABLISHING FILING FEES FOR SUBDIVISION AND PARCEL MAPS.

WHEREAS, Section 4-4.106 of the Modesto Municipal Code provides that the Council, by resolution adopted from time to time, shall establish filing fees for the processing of tentative and final subdivision and parcel maps and for other procedures required or authorized by Chapter 4 of Title IV of the Modesto Municipal Code,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. FEES. Filing fees for such maps and procedures required and authorized by Chapter 4 of Title IV of the Modesto Municipal Code are hereby established as follows:

(a)	Tentative subdivision and parcel map review, parcel map reversion, or parcel map waiver fee (Planning)	$ 50.00
	Plus per lot on each map	1.00
(b)	Reversion to acreage (Public Works)	100.00
(c)	Lot line adjustment or certificate of compliance (Planning)	25.00
(d)	Final parcel map checking fee (Public Works)	120.00
(e)	Final (subdivision) map checking fee (Public Works) for subdivisions of 10 or less lots	120.00
(f)	Final (subdivision) map checking fee (Public Works) for subdivisions of 10 or more lots	120.00
	Plus per each lot in excess of 10	1.50

SECTION 2. REPEAL. Resolution No. 79-360 adopted by the Council on April 17, 1979, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-760

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR DOCUMENTS, MAPS, PRINTS, TRANSCRIPTS, ETC. OBTAINED FROM THE CITY OF MODESTO.

WHEREAS, upon request, documents, maps, prints, transcripts, etc. are made available to the public by various departments of the City, and

WHEREAS, the Council has periodically established fees and charges for obtaining said documents, maps, prints, transcripts, etc., and

WHEREAS, the Council has determined that said fees and charges need to be updated,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The fees and charges set forth on Exhibit "A", which is attached hereto and made apart hereof as if set forth herein, are hereby established for the documents, maps, prints, transcripts, etc. listed thereon, and which are obtained from the City of Modesto.

SECTION 2. No fees or charges shall be charged to governmental agencies which obtain documents, maps, prints, transcripts, etc.

SECTION 3. Resolutions No. 69-138, 70-925, 71-89, and 72-1291 are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

FEES AND CHARGES
FOR VARIOUS CITY OF MODESTO DOCUMENTS, MAPS, PRINTS, TRANSCRIPTS, ETC.

		Rates
I.	Modesto Municipal Code	
	A. Municipal Code (without binder)*	$50.00
	B. Municipal Code binder, each*	8.50
	C. Continuing Code service, per year*	50.00
	D. Individual Subjects/Titles/Articles:*	
	1. Business, Professions & Trades	1.75
	2. C.A.T.V.	1.00
	3. Charter	1.75
	4. Health	1.25
	5. Planning & Zoning	12.50
	6. Public Utilities	2.50
	7. Public Works	1.50
	8. Sales, Use & Admissions Tax	2.25
	9. Sign Regulations	1.50
	10. Subdivision of Land	2.00
	E. Individual Code pages**	.06
II.	Copies of Official City Documents:	
	A. First copy, per page	.25
	B. Additional copies, per page	.10
III.	Transcripts	hourly rate for clerical time plus overhead
	(When an appeal is filed from a decision rendered by an official body of the City, the appellant will be furnished with one copy of the transcript of those portions of any official meeting held by said body relating to the decision rendered, at no charge.)	
IV.	Base maps and zoning maps of the City of Modesto at a scale of one inch equals one thousand feet (1" = 1000')*	2.00
V.	Copies of tentative and final subdivision maps and parcel maps -- printing fees per sheet:*	
	A. Mylar	3.50
	B. Sepia	1.50
	C. Blue-line	1.00

*Plus sales tax
**The City Clerk is authorized to not charge persons requesting a small number of individual Code pages.

wpc

		Rates
VI.	Prints made by Itek Machine and microfilm slides made with 3-M Camera:*	
	A. One microfilm slide	$ .50
	B. Duplicate copy of microfilm slide made at the same time, each	.25
	C. One print on Itek machine, 18" x 24"	2.50
	D. Additional print on Itek machine, 18" x 24", made at the same time, each	1.50
VII.	Sewer Service Area map, 1 map	2.50
	Additional copy, each	1.50

MODESTO CITY COUNCIL
RESOLUTION NO. 79-761

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE MOTORCYCLE SAFETY FOUNDATION IN ORDER THAT A CITIZEN MOTORCYCLE RIDER TRAINING COURSE CAN BE SPONSORED AND CONDUCTED BY THE MODESTO POLICE DEPARTMENT

BE IT RESOLVED by the Council of the City of Modesto that the submission of a grant application to the Motorcycle Safety Foundation to provide funds in order that a citizen motorcycle rider training course can be sponsored and conducted by the Modesto Police Department, is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-762

A LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND STATE OF CALIFORNIA DEPARTMENT OF EDUCATION TO PROVIDE MATERIALS IN ORDER THAT A CITIZEN MOTORCYCLE RIDER TRAINING COURSE CAN BE SPONSORED AND CONDUCTED BY THE MODESTO POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto letter **that the/agreement between the City of Modesto and** State of California Department of Education **for** providing materials in order that a citizens motorcycle rider training course can be sponsored and conducted by the Modesto Police Department **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-763

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE LOCAL MOTORCYCLE DEALERS TO PROVIDE MATERIALS IN ORDER THAT A CITIZEN MOTORCYCLE RIDER TRAINING COURSE CAN BE SPONSORED AND CONDUCTED BY THE MODESTO POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the local motorcycle dealers **for** providing motorcycles in order that a citizen motorcycle rider training course can be sponsored and conducted by the Modesto Police Department **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-764

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY TO PROVIDE CETA PUBLIC SERVICE EMPLOYMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County to provide CETA Public Service Employment

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-765

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JENKS AND HARRISON

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jenks & Harrison for an engineering report requested by the State Health Department dealing with specific concerns they have with the use of sewage effluent on food crops

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-766

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE EMPIRE FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Empire Fire Protection District in Stanislaus County was annexed to the City of Modesto as Lincoln-Penny No. 2 Annexation by Resolution No. 79-519 adopted on May 22, 1979, and said annexation officially became a part of the City of Modesto on July 3, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Empire Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None.

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

LINCOLN-PENNY NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern line of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records;

1. thence North 63° 33' 00" East, 143.43 feet;

2. thence continuing along the existing City Limits along said ADDITION (359), North 31° 21' 30" East, 97.38 feet to a Northwest corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 3, 1976, as Instrument 35053, Stanislaus County Records;

3. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), North 89° 57' 07" East, 332.84 feet;

4. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 22° 10' 00" West, 73.79 feet;

5. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 26° 31' 00" West, 176.78 feet;

6. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 35° 58' 00" West, 55.13 feet;

7. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 68° 13' 00" East, 176.46 feet;

8. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 00° 33' 30" East, 170.00 feet, to the center line of Lincoln Avenue;

9. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), and the center line of Lincoln Avenue, North 89° 57' 30" East, 646.57 feet, to a Western line of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Recrods, said point being on the East line of Section 26;

10. thence continuing along the existing City Limits, the center line of Lincoln Avenue, a Western line of said ADDITION (293), and the East line of Section 26, South 00° 33' 30" East, 588.10 feet;

11. thence continuing along the existing City Limits and a Northern line of said ADDITION (293), South 65° 09' 31" West, 14.68 feet, to the West line of Lincoln Avenue;

12. thence continuing along the existing City Limits and a Western line of said ADDITION (293), and the West line of Lincoln Avenue, South 09° 13' 26" East, 88.78 feet, to the East line of Section 26;

13. thence continuing along the existing City Limits, a Western line of said ADDITION (293), the West line of Lincoln Avenue and the East line of Section 26, South 00° 33' 30" East, 1379.55 feet to the East quarter corner of Section 26 and the Northeast corner of the LINCOLN NO. 1 ADDITION (282), as per description filed March 24, 1972, as Instrument 11421, Stanislaus County Records;

14. thence continuing along the existing City Limits, the Northern line of said ADDITION (282), and the quarter section line, North 89° 57' 33" West, 985.32 feet, to a point on the Eastern line of the RIVERSIDE NO. 2 ADDITION (234), as per description filed June 12, 1969, as Instrument 20321, Stanislaus County Records;

15. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), North 00° 32' 50" West, 549.01 feet, to a point on a curve concave to the Southwest, having a radius of 500.00 feet, and a central angle of 20° 27' 21";

16. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), Northwesterly on the Arc of the curve a distance of 178.51 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2;

17. thence continuing along the existing City Limits and the Northern line of said ADDITION (234), and the Southern line of said Lateral, South 68° 59' 49" West, 316.90 feet, to the quarter quarter section line of Section 26;

18. thence leaving the existing City Limits and continuing along said quarter quarter Section line, North 00° 32' 58" West, 1646.61 feet;

19. thence along the existing City Limits along said ADDITION (359), and the center line of Dry Creek, North 38° 39' 00" East, 208.85 feet, to the point of beginning, containing 63.154 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-767

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Snyder Avenue No. 2 Annexation by Resolution No. 79-617 adopted on June 19, 19 79, and said annexation officially became a part of the City of Modesto on July 3, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None.

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SNYDER AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-SNYDER ADDITION (360), as per description filed Spetember 20, 1977, as Instrument 18800, Stanislaus County Records, said point being on the North line of Section 12 and the center line of 40.00 foot Snyder Avenue;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (360), South 00° 04' 02" East, 1654.86 feet, to a point on the North line of the VENEMAN NO. 2 ADDITION (375), as per description filed June 27, 1978, as Instrument 82426, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Northern line of said ADDITION (375), South 89° 37' 06" West, 2122.99 feet, to the Southeastern corner of the SNYDER AVENUE ANNEXATION (384), as per description filed October 2, 1978, as Instrument 21313, Stanislaus County Records;

3. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 516.28 feet;

4. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 10° 38' 34" East, 152.43 feet;

5. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 18° 19' 54" East, 177.58 feet;

6. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 13° 54' 50" East, 98.71 feet;

7. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 08° 54' 28" East, 98.71 feet;

8. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 04° 05' 40" East, 98.72 feet;

9. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 530.01 feet, to the North line of Section 12';

10. thence leaving the existing City Limits and continuing along the North line of Section 12, North 89° 36' 33" East, 1990.85 feet, to the point of beginning, containing 78.028 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-768

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (LINCOLN-PENNY NO. 2 ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-519 on May 22, 19 79, certain territory known as Lincoln-Penny No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in Lincoln-Penny No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Lincoln-Penny No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 210.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, September 4, 19 79, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A north line of the annexation at the south line of Lincoln Avenue.

(2) A northeast corner of the annexation at the south line of Lincoln Avenue.

(3) The southeast corner of the annexation at the northwest corner of Lincoln Avenue and Penny Lane.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 210, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

LINCOLN-PENNY NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern line of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records;

1. thence North 63° 33' 00" East, 143.43 feet;

2. thence continuing along the existing City Limits along said ADDITION (359), North 31° 21' 30" East, 97.38 feet to a Northwest corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 3, 1976, as Instrument 35053, Stanislaus County Records;

3. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), North 89° 57' 07" East, 332.84 feet;

4. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 22° 10' 00" West, 73.79 feet;

5. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 26° 31' 00" West, 176.78 feet;

6. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 35° 58' 00" West, 55.13 feet;

7. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 68° 13' 00" East, 176.46 feet;

8. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 00° 33' 30" East, 170.00 feet, to the center line of Lincoln Avenue;

9. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), and the center line of Lincoln Avenue, North 89° 57' 30" East, 646.57 feet, to a Western line of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Recrods, said point being on the East line of Section 26;

10. thence continuing along the existing City Limits, the center line of Lincoln Avenue, a Western line of said ADDITION (293), and the East line of Section 26, South 00° 33' 30" East, 588.10 feet;

11. thence continuing along the existing City Limits and a Northern line of said ADDITION (293), South 65° 09' 31" West, 14.68 feet, to the West line of Lincoln Avenue;

12. thence continuing along the existing City Limits and a Western line of said ADDITION (293), and the West line of Lincoln Avenue, South 09° 13' 26" East, 88.78 feet, to the East line of Section 26;

13. thence continuing along the existing City Limits, a Western line of said ADDITION (293), the West line of Lincoln Avenue and the East line of Section 26, South 00° 33' 30" East, 1379.55 feet to the East quarter corner of Section 26 and the Northeast corner of the LINCOLN NO. 1 ADDITION (282), as per description filed March 24, 1972, as Instrument 11421, Stanislaus County Records;

14. thence continuing along the existing City Limits, the Northern line of said ADDITION (282), and the quarter section line, North 89° 57' 33" West, 985.32 feet, to a point on the Eastern line of the RIVERSIDE NO. 2 ADDITION (234), as per description filed June 12, 1969, as Instrument 20321, Stanislaus County Records;

15. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), North 00° 32' 50" West, 549.01 feet, to a point on a curve concave to the Southwest, having a radius of 500.00 feet, and a central angle of 20° 27' 21";

16. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), Northwesterly on the Arc of the curve a distance of 178.51 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2;

17. thence continuing along the existing City Limits and the Northern line of said ADDITION (234), and the Southern line of said Lateral, South 68° 59' 49" West, 316.90 feet, to the quarter quarter section line of Section 26;

18. thence leaving the existing City Limits and continuing along said quarter quarter Section line, North 00° 32' 58" West, 1646.61 feet;

19. thence along the existing City Limits along said ADDITION (359), and the center line of Dry Creek, North 38° 39' 00" East, 208.85 feet, to the point of beginning, containing 63.154 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 24, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: July 24, 1979

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-769

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAT AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SNYDER AVENUE NO. 2 ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-617 on June 19, 19 79, certain territory known as Snyder Avenue No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in Snyder Avenue No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Snyder Avenue No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 211.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, September 4, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgment of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the Council voting for and against it, to be published once a week for at least two (2)

weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The northwest corner of the annexation which lies 130.00 feet east of the north quarter corner of Section 12, Township 3 south, Range 8 east, Mount Diablo Base and Meridian, and the south line of Snyder Avenue.

(2) The north line of the annexation at 1130.00 feet east of the north quarter corner of Section 12, Township 3 south, Range 8 east, Mount Diablo Base and Meridian, and the south line of Snyder Avenue.

(3) The northeast corner of the annexation at 530.64 feet west of the northwest corner of Section 12, Township 3 south, Range 8 east, Mount Diablo Base and Meridian.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address as shown upon such roll, or (b) as such owner is otherwise known to the City Clerk at his address as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed

as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 211, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwin L. Johnson
ELWIN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

SNYDER AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-SNYDER ADDITION (360), as per description filed Spetember 20, 1977, as Instrument 18800, Stanislaus County Records, said point being on the North line of Section 12 and the center line of 40.00 foot Snyder Avenue;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (360), South 00° 04' 02" East, 1654.86 feet, to a point on the North line of the VENEMAN NO. 2 ADDITION (375), as per description filed June 27, 1978, as Instrument 82426, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Northern line of said ADDITION (375), South 89° 37' 06" West, 2122.99 feet, to the Southeastern corner of the SNYDER AVENUE ANNEXATION (384), as per description filed October 2, 1978, as Instrument 21313, Stanislaus County Records;

3. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 516.28 feet;

4. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 10° 38' 34" East, 152.43 feet;

5. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 18° 19' 54" East, 177.58 feet;

6. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 13° 54' 50" East, 98.71 feet;

7. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 08° 54' 28" East, 98.71 feet;

8. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 04° 05' 40" East, 98.72 feet;

9. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 530.01 feet, to the North line of Section 12';

10. thence leaving the existing City Limits and continuing along the North line of Section 12, North 89° 36' 33" East, 1990.85 feet, to the point of beginning, containing 78.028 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on July 24, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED:

Norrine Coyle
City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-770

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE RENO AVENUE NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Reno Avenue No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Reno Avenue No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

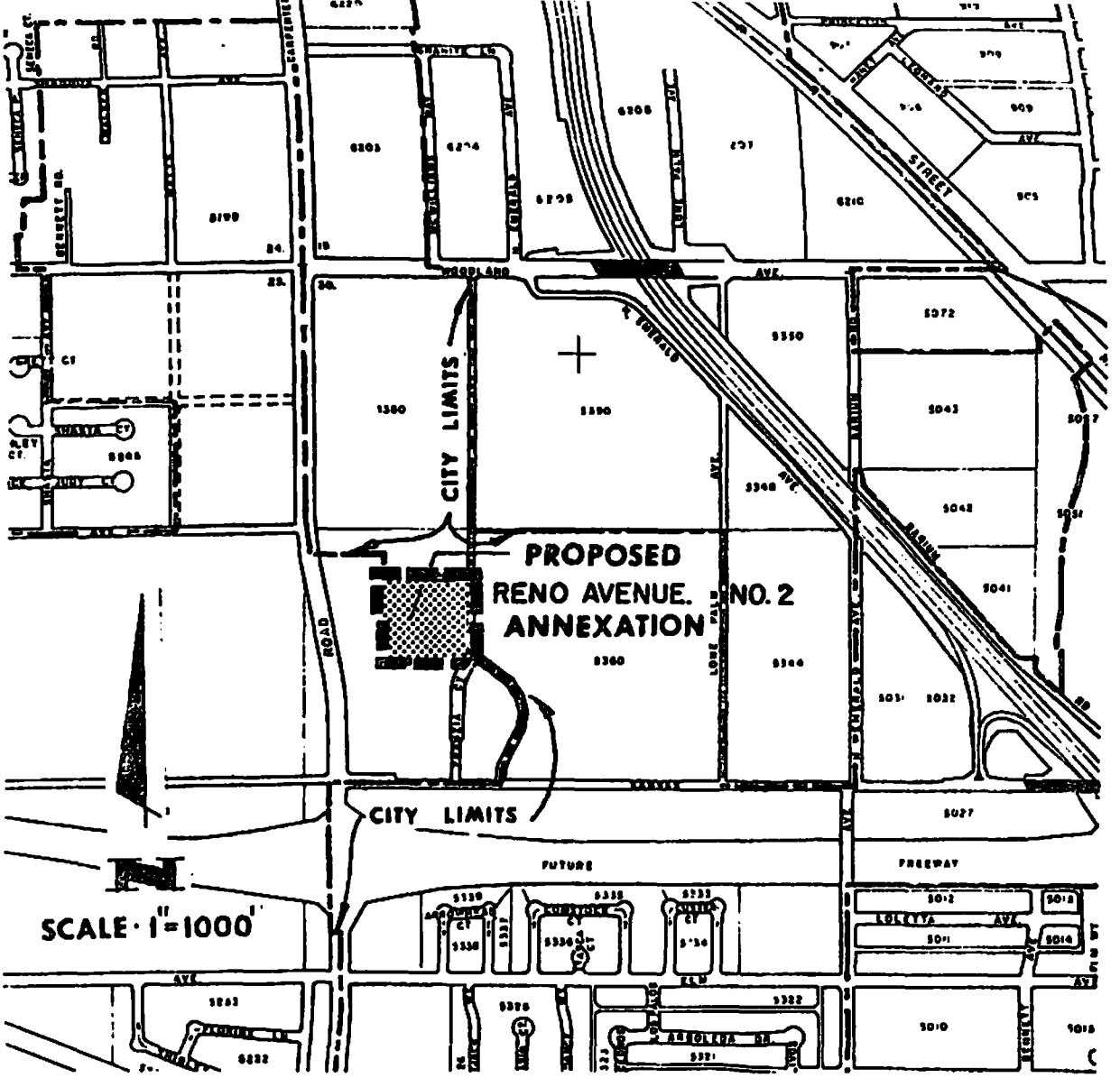
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



PROPOSED
RENO AVENUE NO. 2
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-771

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS SUTTER-FIGARO ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Sutter-Figaro Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated June 27, 1979, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
James J. Lommel, et ux	P. O. Box 139, Modesto, CA
W. Lee Duncan	P. O. Box 1475, Modesto, CA

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Sutter-Figaro Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 28th day of August, 1979, at the hour of 7:30 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Lloyd Campbell
Public Works Department

May 11, 1979 (Revised)

SUTTER-FIGARO ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the MINENI MANOR ADDITION (63), as per description filed July 26, 1955, as Instrument 21227, Stanislaus County Records, said point being 100.00 feet North of the Southeastern corner of said ADDITION (63), and being on the West line of Section 5;

1. thence continuing along the existing City Limits, the Western line of Section 5, and the Eastern line of said ADDITION (63), North 00° 03' 00" West, 477.50 feet;

2. thence leaving the existing City Limits, North 89° 45' 00" East, 264.00 feet;

3. thence South 00° 03' 00" East, 247.50 feet, to the center line of 40.00 foot Figaro Avenue;

4. thence South 89° 45' 00" West, 50.00 feet;

5. thence South 00° 03' 00" East, 165.00 feet;

6. thence South 89° 45' 00" West, 82.00 feet;

7. thence South 00° 03' 00" East 65.00 feet;

8. thence South 89° 45' 00" West, 132.00 feet;

to the point of beginning, containing 2.508 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-772

A RESOLUTION ANNEXING CERTAIN UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS DALE-SNYDER NO. 2 ANNEXATION, WITHOUT NOTICE OR HEARING.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by all of the owners of land residing within territory in the County of Stanislaus requesting annexation of the Dale-Snyder No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated June 27, 1979 determined that said territory is uninhabited and approved the annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, without notice or hearing, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said Resolution ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Dale-Snyder No. 2 Annexation is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Leroy Cell
Public Works Department

DALE - SNYDER NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwest corner of the SNYDER AVENUE ANNEXATION (384), as per description filed October 2, 1978, as Instrument 21313, Stanislaus County Records, said point being on the North line of Section 12;

1. thence along the existing City Limits and the Western line of said ADDITION (384), South 00° 11' 59" West, 1555.79 feet;

2. thence continuing along the existing City Limits and the Western line of said ADDITION (384), South 89° 36' 39" West, 3.44 feet, to a point on a non-tangent curve;

3. thence continuing along the existing City Limits and the Western line of said ADDITION (384), along said curve concave to the Southeast, having a Central Angle of 89° 36' 20", a Radius of 15.00 feet, and an Arc Length of 23.46 feet to a point of tangency;

4. thence continuing along the existing City Limits and the Western line of said ADDITION (384), South 00° 00' 19" West, 85.10 feet, to a point on the Northern line of the VENEMAN ADDITION (337), as per description filed January 16, 1976, as Instrument 31886, Stanislaus County Records;

5. thence continuing along the existing City Limits and the Northern line of said ADDITION (337), South 89° 36' 39" West, 155.00 feet, to an Eastern line of the BECKWITH NO. 1 ADDITION (306), as per description filed June 19, 1973, as Instrument 54524, Stanislaus County Records;

6. thence continuing along the existing City Limits and the Northern line of said ADDITION (306), South 89° 36' 39" West, 894.56 feet, to the center line of 100.00 foot Dale Road and the West line of Section 12;

7. thence continuing along the existing City Limits, on the West line of Section 12, and said ADDITION (306), North, 993.25 feet, to a Northeastern corner of said ADDITION (306);

8. thence leaving the existing City Limits and continuing along the center line of 100.00 foot Dale Road and the West line of Section 12, North, 662.62 feet, to the corner common to Sections 1, 2, 11 and 12;

9. thence along the North line of Section 12 and the center line of Snyder Avenue, North 89° 37' 02" East, 1073.23 feet, to the point of beginning, containing 40.648 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-773

A RESOLUTION STATING THE INTENTION OF THE CITY OF MODESTO NOT TO SUCCEED TO CALIFORNIA LAND CONSERVATION ACT CONTRACT IN THE DALE-SNYDER NO. 2 ANNEXATION TO THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto on July 24, 1979 adopted City Council Resolution No. 79-772 annexing uninhabited territory known as the Dale-Snyder No. 2 Annexation to the City of Modesto, and

WHEREAS, a portion of a parcel of land included in said annexation known as the Van Konynenburg property is subject to a California Land Conservation Act Contract which was approved by the County of Stanislaus, being more fully described in Contract No. 74-1771, adopted on February 26, 1974 and recorded in Volume 2612, page 423 of the Official Records of Stanislaus County, and

WHEREAS, the City of Modesto by City Council Resolution No. 74-105, adopted on February 4, 1974, duly filed its protest to the said contract with the Local Agency Formation Commission, and

WHEREAS, the Local Agency Formation Commission upheld said protest by resolution adopted on May 24, 1977,

NOW, THEREFORE, BE IT RESOLVED that the City of Modesto, pursuant to the provisions of Government Code section 51243, hereby states its intention not to succeed and does not succeed to the above described California Land Conservation Act Contract pertaining to said Dale-Snyder No. 2 Annexation to the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 19 79, by Councilmember Lang who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-774

A RESOLUTION ACCEPTING IMPROVEMENTS IN WINSOR TRACT NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Norman J. & Lola Jean Winsor, Fritz & Betty L. Hutcheson and Robert A. & Laura K. Keller, subdividers of Winsor Tract No. 1 Subdivision, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $333,100 and $166,550 respectively to guarantee improvements in Winsor Tract No. 1 Subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated July 17, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Winsor Tract No. 1 Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $333,100 upon recordation of notice of completion.

3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $166,550 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-775

A RESOLUTION APPROVING AMENDMENT / CONTRACT **/ BETWEEN THE CITY OF MODESTO AND** SELF-HELP ENTERPRISES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment / contract **between the City of Modesto and** Self-Help Enterprises as recommended by Citizens Housing and Community Development Committee

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-776

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON SIDEWALK STANDARDS FOR DOWNTOWN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 7, 1979 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** sidewalk standards for downtown.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th **day of** July, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-777

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-9 OF THE ZONING MAP (ALLEN GRANT)

WHEREAS, the Modesto City Planning Commission held a public hearing on June 18, 1979 **, in the Council Chambers, City Hall, for the purpose of considering an amendment to** Section 19-3-9 of the Zoning Map, to rezone from H-1 to P-D(235) to allow an automotive service center, property located on the northeasterly side of 9th Street north of Clayton **the following described property:**

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-175 **recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-9 **of the Zoning Map be set for** August 21, 1979, at 4:00 p.m., **in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, being a portion of the Northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of Lot 8 of the McDonald Tract, as per map filed April 30, 1903, in Volume 1 of Maps, Page 49, Stanislaus County Records, said point also lying on the centerline of 60-foot wide Martin Avenue; thence along the North line of said Lot 8, North 89° 28' West, 773.6 feet to the true point of beginning of this description; thence North 89° 28' West, 205.54 feet; thence South 0° 41' East, 110.93 feet; thence North 89° 48' West, 132.85 feet to the East line of North Ninth Street; thence along said East line North 43' 08' 31" West, 5.81 feet; thence North 30° 47' 19" West, 559.35 feet; thence North 33° 27' 17" East, 109.03 feet to the West line of U. S. Highway 99 right-of-way; thence along said West line South 56° 32' 43" East, 287.00 feet; thence South 51° 56' 11" East, 587.02 feet; thence South 41° 51' 32" East, 43.39 feet; thence South 32° 02' 43" East, 367.57 feet thence South 37° 36' 42" East, 60.44 feet; thence leaving the West line of U. S. Highway 99 South 89° 07' West, 38.53 feet to the Southern line of Clayton Avenue; thence along a radial line North 50° 08' 53" West, 40.00 feet to the centerline of 50.00-foot wide Clayton Avenue; thence along said centerline South 89° 07' West 299.27 feet; thence North 0° 41' West, 25.00 feet to the North line of Clayton Avenue; thence continuing North 0° 41' West, 403.59 feet to the true point of beginning.

SCHEDULE "A"
Allen Grant

MODESTO CITY COUNCIL
RESOLUTION NO. 79-778

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 19-3-10 OF THE ZONING MAP (FARA ESTATES)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 2, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 19-3-10 of the Zoning Map, to rezone from R-1 to P-D(238) to allow a medium density residential development, property located on the east side of Claus Road south of E. Orangeburg

the following described property:

SEE SCHEDULE "A"

and

Whereas, the said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-188 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 19-3-10 of the Zoning Map be set for August 21, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 24th day of July, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19 being on the centerline of Claus Road (50.00 feet wide); thence North along the West line of said Section 19 and said centerline a distance of 503.91 feet to the point of beginning of this description; thence continuing along last named line North 828.40 feet; thence leaving said centerline South 89° 20' 12" East, 151.46 feet; thence Northeasterly along a tangent curve concave to the northwest having a radius of 300.00 feet a central angle of 21° 28' 30", an arc distance of 112.44 to a point of cusp; thence from said point of cusp Southeasterly along a curve concave to the northeast, a radial line of said curve through said point bearing North 70° 59" 15" East, having a radius of 250.00 feet, through a central angle of 7° 42' 41" an arc distance of 33.65 feet; thence South 89° 20' 12" East, 193.21 feet; thence South 0° 39"48" West, 133.34 feet to a point of cusp; thence from said point of cusp along a curve concave to the northeast, a radial line of said curve through said point bearing North 7° 16' 14" East, having a radius of 250.00 feet, a distance of 28.82 feet to the centerline of a proposed 50.00-foot wide street; thence along said centerline South, 682.32 feet; thence North 89° 27' 37" West, 495.00 feet to the point of beginning.

SCHEDULE "A"
Fara Estates

MODESTO CITY COUNCIL
RESOLUTION NO. 79-779

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL TO A DECISION OF THE BOARD OF BUILDING APPEALS CONCERNING COMMERCIAL BUILDINGS AT 1202 - 1222 J STREET, MODESTO (BASIC RESOURCES, INC.)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Basic Resources, Inc. to a decision of the Board of Building Appeals concerning commercial buildings at 1202 - 1222 J Street, Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-780

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE SEWER CLEANER TRUCK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one sewer cleaner truck **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1979, at 2:15 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-781

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE FIRE HOSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the purchase of one fire hose **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-782

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FOR CONSTRUCTION OF CONANT AVENUE/LATERAL NO. 7 CANAL CROSSING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of Conant Avenue/Lateral No. 7 canal crossing **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 28, 1979, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-783

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR GOLF COURSE CLUBHOUSE CARPETING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the golf course clubhouse carpeting **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 28, 1979, at 11:05 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-784

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REVARD PARK LIGHTING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Revard Park lighting

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on August 28, 1979, at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-785

A RESOLUTION ACCEPTING THE BID OF ACE WHOLESALE FOR ANNUAL LAMP REQUIREMENTS

WHEREAS, Resolution No. 79-462, adopted by the Council of the City of Modesto on May 15, 1979, approved the plans and specifications for the purchase of annual lamp requirements and authorized the calling for bids; and

WHEREAS, the bids received for the annual lamp requirements were opened at 2:00 p.m. on July 10, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Ace Wholesale for 73.2% off the suggested list price, for an estimated $11,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ace Wholesale for an estimated $11,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-786

A RESOLUTION ACCEPTING THE BID OF WALKERLITE COMPANY FOR ANNUAL LAMP REQUIREMENTS

WHEREAS, Resolution No. 79-462, adopted by the Council of the City of Modesto on May 15, 1979, approved the plans and specifications for the purchase of annual lamp requirements and authorized the calling for bids; and

WHEREAS, the bids received for the annual lamp requirements were opened at 2:00 p.m. on July 10, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Walkerlite for audio-photo lamps, for an estimated $1,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Walkerlite for audio-photo lamps, for an estimated $1,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-787

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR WATERLINE EXTENSION IN SISK ROAD

WHEREAS, Resolution No.79-691, adopted by the Council of the City of Modesto on July 10, 1979 , approved the plans and specifications for the waterline extension in Sisk Road and authorized the calling for bids; and

WHEREAS, the bids received for the waterline extension in Sisk Road were opened at 11:00 a.m. on July 31, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $41,575.45 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $41,575.45 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August , 19 79, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-788

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE COMPANY FOR CONSTRUCTION OF CURB AND GUTTER ON BRIGGSMORE AVENUE FROM TULLY TO MCHENRY AVENUE

WHEREAS, Resolution No.79-653, adopted by the Council of the City of Modesto on July 3, 1979 , approved the plans and specifications for the construction of curb and gutter on Briggsmore Avenue from Tully to McHenry Avenue and authorized the calling for bids; and

WHEREAS, the bids received for the construction of curb and gutter on Briggsmore Avenue from Tully to McHenry Avenue were opened at 11:00 a.m. on July 24, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Flintkote Company in the amount of $19,299.89 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Flintkote Company in the amount of $19,299.89 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-789

A RESOLUTION ACCEPTING THE CONSTRUCTION OF NAGEL LANDSCAPING'S CONTRACT FOR IRRIGATION AND LANDSCAPING AT SYLVAN PARK AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of irrigation and landscaping at Sylvan Park has been completed by Nagel Landscaping

in accordance with the contract agreement dated August 21, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of irrigation and landscaping at Sylvan Park be accepted from said contractor, Nagel Landscaping;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $54,990.62 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-790

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CENTRAL VALLEY ROOFING COMPANY'S CONTRACT FOR REROOFING OF FIRE STATION NO. 1 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** reroofing of Fire Station No. 1 **has been completed by** Central Valley Roofing Company **in accordance with the contract agreement dated** June 12, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of reroofing of Fire Station No. 1 **be accepted from said contractor,** Central Valley Roofing Company; **that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of** $9,036.85 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-791

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH HERSEY PRODUCTS, INC. FOR THE PURCHASE OF ONE COMPOUND WATER METER

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one compound water meter is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Hersey Products, Inc. for the total price of $5,135.70 for the purchase of one compound water meter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-792

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (234).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Rex Properties on May 21, 1979, to reclassify from Planned Development Zone, P-D(207) to a new Planned-Development Zone, P-D, the following described property:

ALL that certain real property situate in a portion of the Southwest quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

That portion of the West 18.25 acres of Lot 9 of McKinney Colony, according to the official map thereof, filed in the office of the Recorder of Stanislaus County, California, on November 21, 1903, in Volume 1 of Maps, Page 57, described as follows:

BEGINNING at the Southwest corner of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, which corner is also the Southwest corner of Lot 9 of McKinney Colony and running thence along the South line of said Section 12 and of said Lot 9, North 88° 56' 40" East 613 feet to the Southeast corner of the West 18.25 acres of said Lot 9; thence along the East boundary of said West 18.25 acres North 0° 25' 50" East 361.28 feet to a point in the Southeasterly line of the Hetch Hetchy Aqueduct right-of-way; thence along said Southeasterly line South 69° 55 3/4" West 658.31 feet to a point in the West line of said Section 12 and of said Lot 9; thence along said West line South 0° 50' 09" East 146.66 feet to the point of beginning.

Including also all of the Southerly one-half of Hetch Hetchy right-of-way immediately adjacent to the above described property.

Excepting therefrom all that street right-of-way situated between the West line of said Lot 9 and the centerline of Sisk Road and also the centerline of Rumble Road and the South line of Lot 9.

Also excepting therefrom the following described property, as granted to Aaron B. Miller, et al, by Deed recorded February 9, 1979, in Book 3154 Page 22 of Official Records, as Instrument No. 50402, to wit:

COMMENCING at the South quarter corner of said Section 12; thence South 88° 45' 45" West along the South line of said Section 12, a

distance of 2003.00 feet to the East line of the West 18.25 acres of Lot 9, of the McKinney Colony as shown on the map recorded in Volume 1 of Maps at Page 57, Stanislaus County Records; thence North 0° 48' 40" West along said East line 40.00 feet to the North line of 40-foot Rumble Road and the point of beginning of this description; thence South 88° 45' 45" West along said North line 23.00 feet; thence North 0° 24' 53" West, 326.56 feet to the South line of Hetch Hetchy Aqueduct right-of-way as conveyed to the City and County of San Francisco by deed recorded in Book 63 of Official Records at Page 151, Stanislaus County Records; thence North 69° 42' 07" East along said South line 22.00 feet to above mentioned East line; thence South 0° 48' 40" East along said East line 333.72 feet to the point of beginning.

Also excepting therefrom all of the Northerly portion of Rumble Road right-of-way situated between the South line of said Aaron B. Miller property and the centerline of Rumble Road.

WHEREAS, after public hearing held on June 18, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The property was previously zoned for a commercial use, and the proposed office use is a less intensive use more appropriate for this site.

2. The P-D plan and conditions of approval assure a degree of compatibility consonant with future residential uses to the east.

WHEREAS, after a public hearing held on August 7, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rex Properties for a new Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the 7th day of August, 19 79, reclassifying the above-described property from Planned Development Zone, P-D(207) to a new Planned-Development Zone, P-D (234).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (234), is hereby approved in accordance with the plan titled "Sisk and Rumble Site", as amended in red on its face, stamped approved by the Planning Commission on June 18, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above referred to plan on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the east property line.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the east property line.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Sisk Road to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall improve Rumble Road to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That the developer shall dedicate sufficient right-of-way to complete Sisk Road to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

8. That the developer shall dedicate sufficient right-of-way to complete Rumble Road to a collector street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

9. That the developer shall improve the easterly one-half of the Sisk Road frontage of the Hetch-Hetchy right-of-way to City major street standards.

10. That the required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

11. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

12. That prior to the issuance of a building permit, if the required public street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements prior to occupancy.

13. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

14. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

15. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

16. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

17. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

18. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

19. That all signs shall comply with the sign requirements of the P-O Zone.

20. That irrigation lines within the project shall be removed or relocated as required by the Modesto Irrigation District and the City Engineer. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

21. That all curbcuts serving two-way driveways shall be widened to 41 feet in width.

22. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

23. That the maintenance and water quality of the lake shall be as required by the City Engineer.

24. Prior to issuance of a building permit the developer shall submit for approval evidence of an agreement with the City and County of San Francisco for the use of the Hetch Hetchy right-of-way to the City Attorney.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (234):

The entire construction program shall be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (234) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Brignt, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William E. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-793

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (REX PROPERTIES)

WHEREAS, on August 7, 1979, the City Council introduced Ordinance No. 1861 -C. S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(207) to a new Planned Development Zone, P-D(234), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 12-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Planned Development Zone, P-D(207) to a new Planned Development Zone, P-D(234).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-794

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR AN ADDITION TO PLANNED-DEVELOPMENT ZONE, P-D (209).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by James R. Corn on May 22, 1979, to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(209) the following described property:

All that certain real property situate in a portion of the Northeast quarter of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Block 1183 of Montpelier Estates as per map filed November 15, 1977, in Volume 27 of Maps at Page 22, Stanislaus County Records.

Also including the East half of Yarmouth Drive and the South half of Bingham Drive contiguous to said lot.

WHEREAS, after public hearing held on June 18, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The P-D(209) addition will allow the 4 units in the building under construction to sold as condominiums rather than retained as rental units only.

2. That P-D(209) is compatible with the overall site plan and provides additional common open space for all the occupants.

WHEREAS, after a public hearing held on August 7, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of James R. Corn for an addition to Planned Development Zone, P-D(209) should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1862-C.S. on the 7th day of August, 1979, reclassifying the above-described property from Medium Density Residential Zone, R-2, to be added to Planned-Development Zone, P-D(209).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 2. DEVELOPMENT PLAN. The development plan for the addition to Planned Development Zone, P-D(209) described above is hereby approved in accordance with the plan titled "Site Plan Details, Fig Gardens Phase Two" _____, as amended in red on its face, stamped approved by the Planning Commission on June 18, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

a. That with respect to the above described property, all development shall be in accordance with the above entitled plan which is on file in the office of the Director of Planning and Community Development.

b. That except for the above condition, all conditions applicable to Planned Development Zone, P-D(209) shall be applicable to the above described property and shall remain in full force and effect.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said addition to Planned Development Zone, P-D (209):

> That the entire construction program be accomplished in one phase, construction to begin on or before July 1, 1981, and completion to be not later than July 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to be added to Planned-Development Zone, P-D (209) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Trimble
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-795

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JAMES R. CORN)

WHEREAS, on August 7, 1979, the City Council introduced Ordinance No. 1862 - C. S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(209), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(209).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-796

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (PLANNING COMMISSION INITIATED - RULE ENTERPRISES)

WHEREAS, on August 7, 1979, the City Council introduced Ordinance No. 1863-C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Planned-Development Zone, P-D(151), to Low Density Residential Zone, R-1, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Planned-Development Zone, P-D(151), to Low Density Residential Zone, R-1.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-797

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BLAQUE HASTON)

WHEREAS, on August 7, 1979, the City Council introduced Ordinance No. 1864 -C.S. giving approval to a project relating to an amendment to Section Map 14-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 14-3-9 of the Zoning Map to rezone certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-798

A RESOLUTION DENYING THE APPEAL OF MOBIL OIL CORPORATION TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT ON THE NUMBER AND LOCATION OF DRIVEWAYS AND THE HEIGHT OF THE IDENTIFICATION SIGN PROVIDED FOR IN THE H-1 USE PERMIT FOR THE COMMERCIAL COMPLEX ON THE WESTERLY SIDE OF SISK ROAD, SOUTH OF BECKWITH ROAD IN THE CITY OF MODESTO.

WHEREAS, an application for a conditional use permit in the H-1 Zone to allow a commercial complex including a service station, two restaurants, retail stores and shops and freestanding signs on the westerly side of Sisk Road, south of the Beckwith Road Freeway 99 overcrossing, was filed by Sanders Construction Company on April 18, 1979, and

WHEREAS, Section 10-2.1904(a) and Section 10-2.2903(f) of the Modesto Municipal Code authorize the granting of conditional use permits for retail trade and consumer service establishments in the H-1 Zone, and Section 10-2.3510 specifies that under certain circumstances, one freestanding sign of variable height may be allowed by the Board of Zoning Adjustment after public hearing, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on May 24, 1979, and thereafter continued to June 28, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and at said continued hearing, the Board of Zoning Adjustment by Resolution No. 867 found that an H-1 use permit for the commercial complex and only one freestanding sign of 150 square feet in area and a maximum of 35 feet in height was required by public necessity, convenience, and general welfare for the following reasons:

1. Retail trade and consumer service establishments are permitted in the H-1 Zone subject to securing a conditional use permit from the Board of Zoning Adjustment.

2. The proposed commercial complex is compatible with other existing and potential commercial uses in the surrounding area and the limitation of acess near the Sisk-Beckwith intersection will ease the traffic impact generated at this projected heavy traffic area.

3. Granting one freestanding sign for the service station at a maximum of 35 feet in height instead of the requested 50 feet is reasonable since actual field inspection by the Board and visual checking a sign target held at different heights showed that additional height over 35 feet is not needed or warranted,

and

WHEREAS, an appeal was filed by Mobil Oil Corporation with the City Council of the City of Modesto on July 11, 1979, to the decision of the Board of Zoning Adjustment on the number and location of driveways and the height of the identification sign provided for in the H-1 use permit for the commercial complex on the westerly side of Sisk Road, south of Beckwith Road in the City of Modesto, and

WJEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m., on August 7, 1979, at which time evidence, both oral and documentary, was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal to the decision of the Board of Zoning Adjustment to its decision to allow only one freestanding sign of 150 square feet in area and a maximum of 35 feet in height and limitation of access to the area near the Sisk-Beckwith intersection granted in the H-1 use permit for the commercial complex in the Board of Zoning Adjustment Resolution No. 867, adopted on June 28, 1979, is hereby denied for the following reasons:

1. The limitation of access near the Sisk-Beckwith intersection will ease the traffic impact generated at this projected heavy traffic area.

2. Granting one freestanding sign for the service station at a maximum

of 35 feet in height instead of the requested 50 feet is reasonable since the actual field inspection by the Council and visual checking a sign target held at different heights showed that additional height over 35 feet is not needed or warranted.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment to allow only one freestanding sign of 150 square feet in area and a maximum of 35 feet in height and limitation of access to the area near the Sisk-Beckwith intersection granted in the H-1 use permit for the commercial complex is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 799

A RESOLUTION CALLING A SPECIAL ADVISORY ELECTION BY THE VOTERS OF THE CITY OF MODESTO.

WHEREAS, an initiative ordinance entitled "Modesto Citizens Advisory Growth Management Act" was adopted by the voters of the City of Modesto at the general Municipal Election held on March 6, 1979, and

WHEREAS, said "Modesto Citizens Advisory Growth Management Act" requires that an advisory election by the voters of the City of Modesto, as provided by Section 5353 of the Elections Code of the State of California, be called before the City Council of the City of Modesto approves, authorizes or appropriates funds for the extension of any sewer trunk, and

WHEREAS, the City Council has determined that it is desirous of considering the extension of the Yosemite Boulevard sewer trunk,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. ELECTION CALLED. That the City Council of the City of Modesto does hereby call a Special Advisory Election in the City of Modesto on November 6, 1979, said Special Election to be known as "Special Sewer Trunk Extension Advisory Election".

SECTION 2. FORM OF BALLOT. On the ballots to be used at said election and on the voting machines used at said election, in addition to any other matter required by law to be printed thereon, shall be printed the following question, to wit:

CITY OF MODESTO MEASURE - ADVISORY VOTE ONLY		
MEASURE	Shall the City Council approve an extension of the sanitary trunk sewer line in Yosemite Boulevard from Lincoln Avenue to Claus Road to permit the urban development of the Yosemite Neighborhood west of Claus Road, as said neighborhood is shown on the Modesto Urban Area General Plan, and to provide continued service to the Empire Sanitary District, as its boundaries presently exist? This sanitary trunk sewer line is planned to be of sufficient size to provide capacity for future extension(s) of said trunk sewer line, subject to advisory vote(s) of the electorate, to serve the area between the Yosemite Neighborhood and the Santa Fe Railroad tracks not within the Empire Sanitary District boundaries.	
City of Modesto Sewer Trunk Extension Advisory Measure		Y E S
		N O

SECTION 3. CONDUCT OF ELECTION. Said special advisory election hereby called shall be held and conducted, and the votes thereat canvassed and the returns thereof made, and the results thereof ascertained and determined as herein provided, and in all particulars not prescribed in this resolution, said special advisory election shall be held as provided for in the Charter of said City and in all particulars not provided for therein said election shall be held as provided by law for the holding of advisory elections and special municipal elections in the City of Modesto and otherwise in accordance with the Elections Code of the State of California.

(a) All persons qualified to vote at municipal elections in said City of Modesto on the day of said special advisory election herein provided for shall be qualified to vote upon said advisory measure hereby proposed by the Council of the City of Modesto on its own motion and submitted at said special advisory election.

(b) The polls at the polling places hereinafter referred to for said special advisory election shall be opened at 7:00 a.m. of said day of election, and shall be kept open continuously thereafter until 8:00 p.m. of said day of election,

when the polls shall be closed, and the election officers shall thereupon proceed to canvass the ballots cast thereat.

(c) Said special advisory election shall be and is hereby consolidated with the regular election to be held in Stanislaus County and in the City of Modesto on the date of said special advisory election hereby called, and the election precincts, polling places, voting booths and voting machines shall in every case be the same, and there shall be only one set of election officers in each of said precincts; and the precincts, polling places and officers of election within said city for said special advisory election shall be the same as those selected or to be selected and designated by the Board of Supervisors of Stanislaus County for said regular election and set forth or to be set forth in the notice of election officers and polling places for said regular election published or to be published by the County Clerk of said County, as required by law, to which notice reference is hereby specifically made for a designation of the precincts, polling places and election officers for said special advisory election hereby called. Only qualified voters of said City shall be permitted to vote at said special advisory election hereby called. The Board of Supervisors of Stanislaus County is authorized to canvass, or cause to be canvassed, the returns of said special advisory election with respect to the votes cast in said City and to certify the results to the Council.

(d) On the ballots and voting machines to be used at said regular election and said special advisory election hereby consolidated therewith, in addition to all other matters required by law to be printed thereon, shall appear the advisory measure set forth in Section 2 hereof.

(e) Where ballots are used, to vote in favor of said advisory measure a voter shall stamp/or mark a cross (+) in the blank space opposite the word "YES" on the ballot to the right of said advisory measure, and to vote against said advisory measure a voter shall stamp/or mark a cross (+) in the blank space opposite the word "NO" on the ballot to the right of said advisory measure.

Where voting machines are used, said voting machines shall be so arranged that to vote in favor of said advisory measure a voter shall pull down a voting pointer over the word "YES" near said advisory measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever, and to vote against said advisory measure a voter shall pull down a voting pointer over the word "NO" near said advisory measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever.

(f) The votes cast for and against said advisory measure shall be counted separate and apart from all other measures to be submitted at said regular election and said special advisory election hereby consolidated therewith.

(g) At the next regular meeting of the Council occurring after the returns of said special advisory election have been canvassed and the results thereof certified by the Board of Supervisors of Stanislaus County to the Council, or at a special meeting called thereafter for such purpose, the Council shall cause to be spread upon its minutes a statement of the results of said special advisory election as ascertained by said canvass.

SECTION 4. NOTICE. The City Clerk of the City of Modesto is hereby authorized and directed to prepare and sign a notice of said special advisory election and a synopsis of the advisory measure to be voted on at said special advisory election in the forms required by law, and said City Clerk is hereby authorized and directed to publish said notice and synopsis in the time and manner required by law in THE MODESTO BEE, the official newspaper of said City and a newspaper of general circulation printed and published in said City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

CLERK'S CERTIFICATE

I, NORRINE COYLE, City Clerk of the City of Modesto, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the Council of said City at a regular meeting of said Council duly and regularly and legally held at the regular meeting place thereof on the 7th day of August, 1979, of which meeting all of the members of said Council had due notice and at which a majority thereof was present and acted; that at said meeting said resolution was introduced by Councilmember Elliott, and read in full, and was thereupon, upon motion of Councilmember Elliott, seconded by Councilmember Muratore, adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

That I have carefully compared the same with the original minutes of said meeting on file and of record in my office and that said resolution is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes. That said Resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

WITNESS my hand and the seal of said City of Modesto, this 7th day of August, 1979.

Norrine Coyle

NORRINE COYLE
City Clerk of the City of Modesto
California

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 800

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO REQUESTING THE BOARD OF SUPERVISORS OF STANISLAUS COUNTY TO PROVIDE FOR THE CONSOLIDATION OF A SPECIAL ADIVSORY ELECTION WITH THE REGULAR ELECTION TO BE HELD NOVEMBER 6, 1979.

WHEREAS, the Council of the City of Modesto, in Stanislaus County, State of California, has adopted a resolution calling a special advisory election in said City to be held on Tuesday, November 6, 1979, at which will be submitted to the qualified electors of said City a sewer trunk extension advisory measure, and

WHEREAS, a regular election will be held on Tuesday, November 6, 1979, and it is the desire of said Council that said special advisory election be consolidated with said regular election,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Said special advisory election shall be consolidated with the regular election to be held on Tuesday, November 6, 1979, at which election shall be submitted to the qualified electors of said City the following question, to wit:

CITY OF MODESTO MEASURE - ADVISORY VOTE ONLY			
MEASURE	Shall the City Council approve an extension of the sanitary trunk sewer line in Yosemite Boulevard from Lincoln Avenue to Claus Road to permit the urban development of the Yosemite Neighborhood west of Claus Road, as said neighborhood is shown on the Modesto Urban Area General Plan, and to provide continued service to the Empire Sanitary District, as its boundaries presently exist? This sanitary trunk sewer line is planned to be of sufficient size to provide capacity for future extension(s) of said trunk sewer line, subject to advisory vote(s) of the electorate, to serve the area between the Yosemite Neighborhood and the Santa Fe Railroad tracks not within the Empire Sanitary District boundaries.	YES	
City of Modesto Sewer Trunk Extension Advisory Measure		NO	

SECTION 2. The Board of Supervisors of Stanislaus County is hereby requested to order the consolidation of said special advisory election with the regular election to be held on Tuesday, November 6, 1979, insofar as the City of Modesto is concerned, and to further provide that within the territory affected by said order of consolidation, to wit, the City of Modesto, the election precincts, polling places, voting booths and voting machines shall in every case be the same, and there shall be only one set of election officers in each of said precincts. Said advisory measure shall be set forth on all ballots and on all voting machines to be used at said regular election insofar as the same is held within said City of Modesto. Said Board of Supervisors of Stanislaus County is further requested to order the County Clerk of Stanislaus County (i) to set forth on all sample ballots relating to said consolidated elections, to be mailed to the qualified electors of said City, said advisory measure hereinabove set forth, and to mail with said sample ballots to said electors printed copies of the proposed advisory measure in pamphlet form and printed copies of arguments (if any) for and against said advisory measure, and (ii) to provide absent voter ballots for said regular election and said special advisory election consolidated therewith for use by qualified electors of said City who are entitled thereto, in the manner provided by law.

SECTION 3. Said Board of Supervisors of Stanislaus County is hereby further authorized to canvass, or cause to be canvassed, as provided by law, the returns of said special advisory election with respect to the votes cast on said advisory measure and to certify such canvass of the votes cast for and against said advisory measure to this Council.

SECTION 4. The City Clerk is hereby authorized and directed to certify to the due adoption of this resolution and to transmit a copy hereof so certified to the Board of Supervisors of Stanislaus County and to file a copy hereof so certified with the County Clerk of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael E. Dean
MICHAEL E. DEAN, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-801

A RESOLUTION TRANSMITTING A COPY OF A PROPOSED ADVISORY MEASURE TO THE CITY ATTORNEY FOR IMPARTIAL ANALYSIS

WHEREAS, Section 5011 of the Elections Code provides that whenever any city measure, including an advisory measure, qualifies for a place on the ballot, the governing body may direct the City Clerk to transmit a copy of the measure to the City Attorney for preparation of an impartial analysis of the measure; and

WHEREAS, a copy of the advisory measure concerning a sewer trunk extension proposed for the November 6, 1979 ballot is attached hereto, marked Exhibit "A", and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Clerk is hereby directed to transmit a copy of said advisory measure to the City Attorney for preparation of an impartial analysis showing the effect of the measure on the existing law and the operation of the measure.

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to handle the printing and distribution of the impartial analysis as provided by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Mayor Mensinger

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

EXHIBIT "A"

Shall the City Council approve an extension of the sanitary trunk sewer line in Yosemite Boulevard from Lincoln Avenue to Claus Road to serve the Yosemite Neighborhood west of Claus Road, as said neighborhood is shown on the Modesto Urban Area General Plan, and to provide continued service to the Empire Sanitary District, as its boundaries presently exist? This sanitary trunk sewer line is planned to be of sufficient size to provide capacity for future extension(s) of said trunk sewer line, subject to advisory vote(s) of the electorate, to serve the area between the Yosemite Neighborhood and the Santa Fe Railroad tracks not within the Empire Sanitary District boundaries.

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 802

A RESOLUTION ADOPTING ADDITIONS TO THE URBAN GROWTH POLICY FOR THE CITY OF MODESTO.

WHEREAS, the Council of the City of Modesto adopted an Urban Growth Policy for the City of Modesto on March 25, 1974 by Resolution No. 74-238, and

WHEREAS, various revisions to said Urban Growth Policy have subsequently been approved, and

WHEREAS, a revised Urban Growth Policy incorporating all of said revisions was adopted on June 5, 1979, by Resolution No. 79-566, and

WHEREAS, the Department of Planning and Community Development has recommended to the Council two new additions to the Urban Growth Policy,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised Urban Growth Policy for the City of Modesto:

(a) That urban growth be directed to areas currently served with city services as long as economically reasonable. The amount of land developed each year and maintenance of an urban land inventory should also be considered.

(b) Urban development should be kept as contiguous as possible in order to avoid premature urbanization of valuable farm land, foster resident convenience and provide for economy in City services. It is the policy of the City of Modesto that residential growth and development within the Modesto Urban Area General Plan shall take place only following annexation to the City.

(c) Residential development should be encouraged in the west and southwest sections of the urban area. City-County cooperation and coordination is necessary to develop means to achieve this goal.

(d) That interim agricultural preservation of lands beyond the current sanitary service area but within the ultimate sanitary sewer service area be supported by "opposition" to Williamson Act contract referrals from the County. Such "opposition" enables the landowner to break the contract and convert his land to urban uses without penalty if through annexation city services become available to the property.

(e) That long-term agricultural preservation of lands beyond the ultimate sanitary sewer service area be encouraged by support of Williamson Act contract referrals from the County.

(f) That by the first regular City Council meeting in October, or in years in which an advisory election is to be held, by the first regular City Council meeting the following January, the City staff prepare a written review of the effects of the urban growty policy and its supportive findings such as an update each year including but not limited to:

(1) Inventory of agricultural and vacant land suitable for residential development within the current sewer service area.

(2) The relationship between this inventory and the General Plan and zoning maps.

(3) Population growth.

(4) Building trends.

(5) Adequacy of all public services and their inclusion in the Capital Improvement Program (sewer, water, fire, police, parks, transportation networks, schools, etc.)

(6) Adequacy of utilities (P.G. & E., M.I.D., P.T. & T.).

(7) Residential land prices.

(8) Consideration of potential neighborhoods to be added to the current sewer service area during the ensuing five years.

(g) That during October, or, in years, in which an advisory election is to be held, during the following January, the Public Projects Committee shall meet to review the urban growth policy and make recommendations to the City Council. The Council shall determine which, if any trunk sewer extension(s) as defined by the Modesto Citizens Advisory Growth Management Act, (Measure A) shall be scheduled for a public advisory election in November and shall select potential neighborhoods to be added

to the current sewer service area during the ensuing five years. Council review and actions shall be complete within one month following receipt of the Public Projects Committee recommendations.

(h) That any proposed sewer trunk extension(s) shall be subject to preparation of an Environmental Impact Report which shall include a General Plan Amendment, Neighborhood Zoning and Development Plan, Capital Improvement Program review, and Williamson Act contract review prior to holding an advisory election.

(i) That following the advisory election the Council shall hold a public hearing to determine which, if any, trunk sewer which has been voted upon shall be extended.

(j) That a determination to extend any trunk sewer shall be followed by Planning Commission and City Council review, via public hearing, and adoption of a General Plan and Neighborhood Zoning and Development Plan.

(k) It is a goal of the Urban Growth Policy that the city-wide average net residential density shall increase to at least 7.0 units/net acres by 1985. This density shall be monitored in the annual Urban Growth Policy Review.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-803

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAWKE FLYING SERVICE, INC.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Hawke Flying Service, Inc.

for renewal of Hawke's fixed-base operator lease at the Modesto City-County Airport to expire July 31, 1982

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-804

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REQUEST BY MODESTO GARBAGE COMPANY TO EXTEND THEIR LICENSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that August 21, 1979 , **at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** Modesto Garbage Company's request to extend their garbage license through December 31, 1989.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, 1979, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright, Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-805

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (STANDIFORD NO. 2 ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution of the Board of Supervisors of the County of Stanislaus adopted on May 8, 19 79, certain territory known as Standiford No. 2 Annexation, and

WHEREAS, the inclusion of the area contained in Standiford No. 2 Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Standiford No. 2 Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 213.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, October 2, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) A southeast corner of the annexation at the north line of Standiford Avenue.

(2) The southwest corner of the annexation at the north line of Standiford Avenue.

(3) The western line of the annexation at the southern line of Carlisle Avenue.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 213, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 7, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 7, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

STANDIFORD NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-TULLY NO. 1 ADDITION (309), as per description filed August 28, 1973, as Instrument 8127, Stanislaus County Records, said point being on the Northern line of Hetch Hetchy right-of-way;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 00° 24' 59" East, 895.59 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (309), South 88° 45' 45" West, 596.78 feet;

3. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 01° 12' 20" East, 483.56 feet, to the Southern line of 40.00 foot Standiford Avenue;

4. thence continuing along the existing City Limits and a Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, North 89° 28' 00" West, 218.10 feet to the Northwestern corner of said ADDITION (150);

5. thence continuing along the existing City Limits and an Eastern line of the STANDIFORD-CARVER NO. 1 ADDITION (320), as per description filed September 12, 1974, as Instrument 10197, Stanislaus County Records, North 01° 12' 20" West, 1338.46 feet;

6. thence continuing along the existing City Limits and a Southern line of said ADDITION (320), South 89° 24' 23" East, 584.28 feet, to the Southwestern corner of the NORTH TULLY NO. 1 ADDITION (322), as per description filed November 14, 1974, as Instrument 19015, Stanislaus County Records;

7. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), South 89° 24' 23" East, 86.46 feet;

8. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), North 69° 19' 52" East, 166.19 feet, to the point of beginning, containing 18.495 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-806

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (MORNINGSIDE-SEPTEMBER ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution of the Board of Supervisors of the County of Stanislaus adopted on June 19, 19 79, certain territory known as Morningside-September Annexation, and

WHEREAS, the inclusion of the area contained in Morningside-September Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Morningside-September Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 212.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, October 2, 19 79, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The southwest corner of the annexation at the east side of Oakdale Road.

(2) The western line of the annexation and 325.00 feet north of the west one quarter corner of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, at the east side of Oakdale Road.

(3) The northwest corner of the annexation at the east side of Oakdale Road.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 212, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwest corner of SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

1. thence along the existing City Limits and the Northern line of OLD OAKDALE ADDITION (248), as per description filed February 5, 1970, as Instrument 3849, Stanislaus County Records, South 89° 59' 00" West, 1269.20 feet to a Southeastern corner of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (192), North 00° 45' 00" West, 646.00 feet;

3. thence continuing along the existing City Limits and a Southern line of said ADDITION (192), North 89° 36' 20" East, 1268.98 feet, to a Southeast corner of said ADDITION (192);

4. thence continuing along the existing City Limits and a Western line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records, South 00° 45' 45" East, 654.37 feet, to the point of beginning, containing 18.942 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 7, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 7, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-807

A RESOLUTION DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THAN AN AREA BE ANNEXED TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1; SETTING FORTH A GENERAL DESCRIPTION OF THE AREA PROPOSED TO BE ANNEXED TO THE DISTRICT; AND NAMING A TIME AND PLACE FOR HEARING ON THE ANNEXATION OF SAID TERRITORY TO SAID DISTRICT AND PROVIDING FOR NOTICE THEREOF. (SUNNYSIDE ANNEXATION)

WHEREAS, there has been annexed to the City of Modesto by Resolution No. 79-583 on June 12, 1979, certain territory known as Sunnyside Annexation, and

WHEREAS, the inclusion of the area contained in Sunnyside Annexation to the Modesto Municipal Sewer District No. 1 of the City of Modesto is required by the public interest and convenience,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The public interest and convenience require that that certain area annexed to the City of Modesto and known as Sunnyside Annexation (herein called the area proposed to be annexed) be annexed to the Modesto Municipal Sewer District No. 1 (herein called the "district") under the Community Facilities Law of 1911 (California Health and Safety Code Sections 4600, et seq., herein called the "law") pursuant to Article 6 of the law.

SECTION 2. A general description of the boundaries of the area proposed to be annexed to the district is attached hereto and made a part hereof as though set forth in full herein.

130/000-00155-01/15/79

wpc

SECTION 3. The area proposed to be annexed to the Modesto Municipal Sewer District No. 1 is hereby designated as Modesto Municipal Sewer District No. 1 Annexation No. 214.

SECTION 4. The Council hereby declares that the area proposed to be annexed to the district will be benefited by such annexation.

SECTION 5. Tuesday, October 2, 1979, at the hour of 4:00 P.M., is hereby named as the time and the City Council Chambers, City Hall, 801 11th Street, Modesto, California, is hereby named as the place for the hearing by the Council of the City of objections by any person interested in the annexation of the territory proposed to be annexed. On said day fixed for the hearing, or any day to which the hearing is continued, the Council shall hear and consider all written and oral objections presented to the annexation of the territory proposed to be annexed. At the hearing the Council may exclude from the territory proposed to be annexed any area that in its opinion would not be benefited by inclusion within the Modesto Municipal Sewer District No. 1. The Council will not modify the boundaries of the territory proposed to be annexed so as to exclude from it any land which would in the judgement of the Council be benefited by inclusion within the Modesto Municipal Sewer District No. 1, nor will the Council include in the territory proposed to be annexed any lands which will not in its judgment be so benefited. Upon the final hearing, and after making all necessary and proper changes (if any) in the boundaries of the territory proposed to be annexed, the Council may, by resolution passed by a vote of two-thirds (2/3) of all of its members, annex the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214.

SECTION 6. The City Clerk is hereby directed, upon the adoption of this resolution, to cause this resolution, together with the names of the members of the

Council voting for and against it, to be published once a week for at least two (2) weeks before the day fixed for the hearing in The Modesto Bee, a newspaper of general circulation printed and published in the City. The first of said publications shall be not more than sixty (60) days nor less than thirty (30) days prior to the date fixed for the hearing. The City Clerk is hereby further directed to cause copies of this resolution to be posted in three (3) public places within the area proposed to be annexed, which said public places are hereby fixed and determined by the Council as follows:

(1) The Northeast corner of the annexation at the West side of Sunnyside Avenue approximately 935 feet North of Scenic Drive.

(2) A Southeast corner of the annexation at the West side of Sunnyside Avenue approximately 275 feet North of Scenic Drive.

(3) The Northwest corner of the annexation at the East side of Coffee Road and 495 feet South of the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Said posting shall be made not earlier than the sixtieth (60th) day nor later than the thirtieth (30th) day prior to the date fixed for the hearing. Not earlier than sixty (60) days nor later than thirty (30) days prior to the hearing a copy of this resolution, together with a map showing the boundary lines of the territory proposed to be annexed, shall be mailed postage prepaid;

(1) To each person to whom land in the area proposed to be annexed is assessed either (a) as such owner as shown on the last equalized county assessment roll of the County, at his address as shown upon said roll, or in the case of any real property assessed for purposes of general taxation by the State Board of Equalization then to the owner of such property as shown on the last roll of the State Board of Equalization transmitted to the County Auditor of the County at his address

as known to the City Clerk (and the City Clerk shall make diligent efforts to ascertain the names and addresses of all persons owning land in the area proposed to be annexed as of a date not more than thirty (30) days prior to the date of the hearing, including inspection by or for him of said last equalized county assessment roll, said roll of said State Board of Equalization, the County Assessor's records, the County Recorder's records, and inquiry at other sources); and

(2) To each person who has any interest in any land in the area proposed to be annexed whose name and address and a designation of the land in which he is interested is on file in the office of the City Clerk.

Any error, omission or mistake in any such mailing or any failure of any person to receive any such printed copy of this resolution (and such map) shall not invalidate the proceedings hereby initiated. Said publication, posting and mailing shall constitute notice of the hearing and no other notice of the hearing need be given.

SECTION 7. This resolution is adopted, and all proceedings for the annexation of the territory proposed to be annexed and designated as Modesto Municipal Sewer District No. 1 Annexation No. 214, shall be taken pursuant to the Law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers None

ABSENT: Councilmembers Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

CORRECTED 7-12-79

SUNNYSIDE ANNEXATION

Legal Description

Commencing at the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 0° 15' East on the west line of said Section 27, also being the centerline of 90 foot wide Coffee Road, 495 feet to the POINT of BEGINNING of this description; thence continuing South 0° 15' East 621.25 feet on said sectionline - centerline; thence North 89° 16' 35" East 132.04 feet; thence North 0° 15' West 152.94 feet to the Northwest corner of Lot 28 of Sunnyside Acres, as shown on that map recorded in Volume 5 of Maps, at Page 45; thence North 74° 27' 42" East 273.30 feet to the Northeast corner of Lot 29 of said Sunnyside Acres; thence South 0° 15' East 305.78 feet along the east line of said Lot 29 to the centerline of 50 foot wide Scenic Drive; thence North 69° 14' East 14.076 feet on said centerline; thence North 0° 15' West 292.38 feet to the Northeast corner of Lot 30 of said Sunnyside Acres; thence North 74° 27' 42" East on the Northerly line of Lot 31 of said Sunnyside Acres 136.65 feet to the centerline of 40 foot wide Sunnyside Avenue; thence North 0° 15' West of said centerline a distance of 646.04 feet to the Northeast corner of Lot 6 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the Northwest corner of said Lot 6; thence South 0° 15' East 330.0 feet to the Southwest corner of Lot 14 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the POINT of BEGINNING.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 7, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 7, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-808

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE SALIDA FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the Salida Fire Protection District in Stanislaus County was annexed to the City of Modesto as Standiford No. 2 Annexation by Resolution of the Board of Supervisors of the County of Stanislaus adopted on May 8, 19 79, and said annexation officially became a part of the City of Modesto on July 18, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Salida Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

STANDIFORD NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-TULLY NO. 1 ADDITION (309), as per description filed August 28, 1973, as Instrument 8127, Stanislaus County Records, said point being on the Northern line of Hetch Hetchy right-of-way;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 00° 24' 59" East, 895.59 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (309), South 88° 45' 45" West, 596.78 feet;

3. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 01° 12' 20" East, 483.56 feet, to the Southern line of 40.00 foot Standiford Avenue;

4. thence continuing along the existing City Limits and a Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, North 89° 28' 00" West, 218.10 feet to the Northwestern corner of said ADDITION (150);

5. thence continuing along the existing City Limits and an Eastern line of the STANDIFORD-CARVER NO. 1 ADDITION (320), as per description filed September 12, 1974, as Instrument 10197, Stanislaus County Records, North 01° 12' 20" West, 1338.46 feet;

6. thence continuing along the existing City Limits and a Southern line of said ADDITION (320), South 89° 24' 23" East, 584.28 feet, to the Southwestern corner of the NORTH TULLY NO. 1 ADDITION (322), as per description filed November 14, 1974, as Instrument 19015, Stanislaus County Records;

7. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), South 89° 24' 23" East, 86.46 feet;

8. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), North 69° 19' 52" East, 166.19 feet, to the point of beginning, containing 18.495 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-809

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Morningside-September Annexation by Resolution of the Board of Supervisors of the County of Stanislaus adopted on June 19, 19 79, and said annexation officially became a part of the City of Modesto on July 18, 19 79, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the McHenry-Dry Creek Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

MORNINGSIDE - SANTOS ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwest corner of SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

1. thence along the existing City Limits and the Northern line of OLD OAKDALE ADDITION (248), as per description filed February 5, 1970, as Instrument 3849, Stanislaus County Records, South 89° 59' 00" West, 1269.20 feet to a Southeastern corner of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (192), North 00° 45' 00" West, 646.00 feet;

3. thence continuing along the existing City Limits and a Southern line of said ADDITION (192), North 89° 36' 20" East, 1268.98 feet, to a Southeast corner of said ADDITION (192);

4. thence continuing along the existing City Limits and a Western line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records, South 00° 45' 45" East, 654.37 feet, to the point of beginning, containing 18.942 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-810

A RESOLUTION WITHDRAWING CERTAIN DESCRIBED TERRITORY FROM THE MC HENRY-DRY CREEK FIRE PROTECTION DISTRICT IN STANISLAUS COUNTY.

WHEREAS, a portion of the McHenry-Dry Creek Fire Protection District in Stanislaus County was annexed to the City of Modesto as Sunnyside Annexation by Resolution No. 79-583 adopted on June 12, 1979, and said annexation officially became a part of the City of Modesto on July 26, 1979, and

WHEREAS, the Health and Safety Code of the State of California provides that whenever any portion of such a District is included within a city by reason of annexation, such portion may be withdrawn from the District by the filing with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District, a copy of a resolution of the legislative body of the city, describing the included portion, and declaring such portion withdrawn, and

WHEREAS, it is to the best interests of the residents in the area of said Fire Protection District which has been annexed to the City that the area be withdrawn from said Fire Protection District and provided fire prevention and fire fighting services by the City,

NOW, THEFEFORE, BE IT RESOLVED by the Council of the City of Modesto that the territory, the description of which is attached hereto and made a part hereof as though set forth in full herein, be withdrawn from the boundaries of the Sunnyside Annexation Fire Protection District in Stanislaus County. Said withdrawal to be effective at 12:00 midnight on December 31, 1979.

BE IT FURTHER RESOLVED that the City Clerk be, and she is hereby directed to file a certified copy of this resolution with the governing body of the District and the Stanislaus County Board of Supervisors, the tax levying authority of the District.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Robert Campbell
Public Works Department

CORRECTED 7-12-79

SUNNYSIDE ANNEXATION

Legal Description

Commencing at the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 0° 15' East on the west line of said Section 27, also being the centerline of 90 foot wide Coffee Road, 495 feet to the POINT of BEGINNING of this description; thence continuing South 0° 15' East 621.25 feet on said sectionline - centerline; thence North 89° 16' 35" East 132.04 feet; thence North 0° 15' West 152.94 feet to the Northwest corner of Lot 28 of Sunnyside Acres, as shown on that map recorded in Volume 5 of Maps, at Page 45; thence North 74° 27' 42" East 273.30 feet to the Northeast corner of Lot 29 of said Sunnyside Acres; thence South 0° 15' East 305.78 feet along the east line of said Lot 29 to the centerline of 50 foot wide Scenic Drive; thence North 69° 14' East 14.076 feet on said centerline; thence North 0° 15' West 292.38 feet to the Northeast corner of Lot 30 of said Sunnyside Acres; thence North 74° 27' 42" East on the Northerly line of Lot 31 of said Sunnyside Acres 136.65 feet to the centerline of 40 foot wide Sunnyside Avenue; thence North 0° 15' West of said centerline a distance of 646.04 feet to the Northeast corner of Lot 6 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the Northwest corner of said Lot 6; thence South 0° 15' East 330.0 feet to the Southwest corner of Lot 14 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the POINT of BEGINNING.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-811

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND NATIONAL UNION FIRE INSURANCE COMPANY FOR AUTO/EXCESS LIABILITY INSURANCE COVERAGE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and National Union Fire Insurance Company **for** auto/excess liability insurance coverage **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-812

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND UNITED STATES GEOLOGICAL SURVEY FOR GROUND WATER STUDY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and United States Geological Survey **for** a ground water study for a 15-month period commencing July 1, 1979

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-813

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND U.S. DEPARTMENT OF COMMERCE TO THE DEVELOPMENT TIME SCHEDULE ON THE CONSTRUCTION OF DRYDEN TRUNK SEWER - EDA NO. 07-01-01753

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and U.S. Department of Commerce, Economic Development Administration, regarding the development time schedule on the Grant Agreement for construction of Dryden Trunk Sewer

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-814

A RESOLUTION ACCEPTING IMPROVEMENTS IN VINTAGE FAIRE NO. 3 AND 5 SUBDIVISIONS AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Vintage Faire Development, Inc., subdividers of Vintage Faire No. 3 and 5 Subdivisions, have filed Instruments of Credit for faithful performance and labor and materials in the amount of $103,150 and $206,300 respectively to guarantee improvements in Vintage Faire No. 3 and 5; and

WHEREAS, the Director of Public Works in a memorandum dated July 20, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Vintage Faire No. 3 and 5 Subdivisions are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $103,150 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $206,300 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979 by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-815

A RESOLUTION ACCEPTING IMPROVEMENTS IN COUNTRY CLASSICS NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Allen R. Grant, subdivider of Country Classics No. 2 Subdivision, have filed subdivision bonds for faithful performance and labor and materials in the amount of $286,100.00 and $ 143,050.00 respectively to guarantee improvements in Country Classics No. 2; and

WHEREAS, the Director of Public Works in a memorandum dated July 30, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the bond upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Country Classics No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision bond for faithful performance in the amount of $ 286,100.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision bond for labor and materials in the amount of $143,050.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of July, 1979 by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-816

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO MEN'S CLUB (GOLF) FOR CONSTRUCTION OF AN INTERIOR WALL SEPARATING THE RESTAURANT AND PRO-SHOP AT THE DRYDEN GOLF COURSE CLUBHOUSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Men's Club (Golf)

for construction of an interior wall separating the restaurant and pro-shop at the Dryden Golf Course Clubhouse

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-817

A RESOLUTION INCREASING THE AMOUNT IN THE PETTY CASH REVOLVING FUND BY $1400 TO PROVIDE MONIES FOR POLICE INVESTIGATIONS AND AUTHORIZING THE TRANSFER OF $1400 FROM THE GENERAL FUND TO THE PETTY CASH REVOLVING FUND.

WHEREAS, it is desirable and necessary that the amount in the Petty Cash Revolving Fund be increased to provide monies for Police Department Investigations,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The amount of $1400 be transferred from the General Fund (Fund No. 101) to the Petty Cash Revolving Fund (Fund No. 504) to provide monies for Police Department Investigations.

2. The Director of Finance is hereby authorized to transfer $1400 from the General Fund (Fund No. 101) to the Petty Cash Revolving Fund (Fund No. 504).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-818

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE THE WALTER P. WESSON PROPERTY FOR NORTHWEST McHENRY NEIGHBORHOOD PARK DEVELOPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** the Hearing of Necessity to acquire the Walter P. Wesson property for Northwest McHenry Neighborhood Park development.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th **day of** August **, 19** 79 **, by Councilmember** Lang **, who moved its adoption, which motion being duly seconded by Councilmember** Muratore **, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-819

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE THE C.L.S. INVESTMENTS PROPERTY FOR NORTHWEST McHENRY NEIGHBORHOOD PARK DEVELOPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 4, 1979, at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the Hearing of Necessity to acquire the C.L.S. Investments property for Northwest McHenry Neighborhood Park development.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-820

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(117) - RULE DEVELOPMENT

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(117) to allow a 96-unit condominium conversion, property located on the north side of Floyd Avenue, east of Coffee Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-203 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(117) of the Zoning Map be set for August 28, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of COFFEE PLAZA NO. 4, as per Map filed in Volume 23 of Maps, Page 36, Stanislaus County Records; thence along the South line of the Sylvan School property North 89°36'50" East, 500.00 feet; thence South 0°58'25" East 659.90 feet to the center line of Floyd Avenue; thence along said center line South 89°38'35" West, 465.00 feet to the Southerly extension of the East line of Parcel 1 of Book 17 of Parcel Maps, Page 12, Stanislaus County Records; thence along said Southerly extension and said East line of Parcel 1, North 0°58'25" West 439.84 feet; thence along the North line of said Parcel 1, South 89°38'35" West, 35.00 feet to the East line of said COFFEE PLAZA NO. 4; thence along said East line of COFFEE PLAZA NO. 4, North 0°58'25" West 219.81 feet to the point of beginning.

SCHEDULE "A"

RULE DEVELOPMENT P-D(117)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-821

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 17-3-9 OF THE ZONING MAP (RULE DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 17-3-9 of the Zoning Map to rezone from R-2 to P-D(241) to allow a 43-unit, 1 and 2-story condominium conversion, property located on the south side of Briggsmore Avenue at the westerly terminus of Gayle Ave. the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-201 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 17-3-9 of the Zoning Map be set for August 28, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in a portion of the Southeast quarter of Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows;

BEGINNING at the Northeast corner of Lot 3 of Block 6192 of CAMPOS VERDES, as shown on the map filed in Volume 21 of Maps at Page 54, Stanislaus County Records; thence North 89°26' East, along the Southerly right-of-way line of Briggsmore Avenue, a distance of 333.94 feet; thence South 0°49'09" East 123.72 feet to a point on the Northerly right-of-way line of Gayle Avenue and the point of beginning of a tangent curve being concave to the Northeast, from which a radial line bears North 0°55'01" East; thence Northwesterly along said curve, a distance of 13.62 feet, having a radius of 15.00 feet, and a central angle of 52°01'13" to a point of reverse of curve, being concave to the West; thence Westerly, Southerly and Easterly along said curve, a distance of 247.87 feet, having a radius of 50.00 feet, and a central angle of 287°02'26" to a point of reverse curve, being concave to the Southeast; thence Northeasterly along said curve, a distance of 13.62 feet, having a radius of 15.00 feet, and a central angle of 52°01'13" to a tangent line; thence South 89°04'59" East, 1.52 feet; thence South 0°49'09" East, 243.43 feet; thence North 88°46'46" West, 333.37 feet to the East line of abovereferenced "Campos Verdes"; thence North 0°55'45" West, 406.86 feet along said East line to the point of beginning.

Including also all of Gayle Avenue immediately adjacent to the above described property.

INCLUDING ALSO all that portion of property situated between the center of Modesto Irrigation District Lateral No. 3 and the North line of the above described property.

SCHEDULE "A"
RULE DEVELOPMENT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-822

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP (GILMORE AND SIMVOULAKIS)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(239) to allow a two-story medical office building with underground parking, property located at the easterly corner of 16th and G Streets the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-197 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 28-3-9 of the Zoning Map be set for August 28, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Lots 25, 26, 27, 28, 29, 30, 31 and 32 in Block 128 of the City of Modesto, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942, in Volume 15 of Maps.

Including also the northeasterly 40 feet of 16th Street and the southwesterly 10 feet of 20 foot alley in said Block 128, all being immediately adjacent to said Lots 25, 26, 27, 28, 29, 30, 31 and 32.

Including also the southeasterly 40 feet of "G" Street immediately adjacent to the above property.

SCHEDULE "A"

GILMORE AND SIMVOULAKIS

MODESTO CITY COUNCIL
RESOLUTION NO. 79-823

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 11-3-8 OF THE ZONING MAP (CAL ROSSI COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 11-3-8 of the Zoning Map to amend P-D(166) to to allow 208 condominium units on the northeast side of Sisk Road north of Beckwith Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-205 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 11-3-8 of the Zoning Map be set for September 4, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in a portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEING all of "Parcels B and D and all of Vintage Drive" as shown upon that certain map filed in Volumne 28 of Parcel Maps, at Page 7, Stanislaus County Records and being more particularly described as follows:

BEGINNING at the most Easterly corner of said Parcel B, as shown on said Map; thence South 14°44'06" West along the Easterly line of said Parcel B, a distance of 220.00 feet; thence North 89°34'00" West along the South line of said Parcel B, a distance of 491.47' to a point of cusp and the general Northerly line of Sullivan Court, as shown on said Map; thence from said point of cusp along a non-tangent curve to the left, a radial line of said curve through said point bearing South 74°44'20" West, having a radius of 50.00 feet, through a central angle of 155°38'19", an arc distance of 135.82 feet to a point of cusp, said point bearing South 80°53'59" East, thence from said point of cusp North 42°47'39" West along the Southwesterly line of said Parcel B, a distance of 801.73 feet, to the intersection with the Southeasterly line of Vintage Drive, as shown on said Map; thence South 44°58'08" West along said Southeasterly line, a distance of 128.10 feet; thence continuing along said Southeasterly line South 47° 12'21" West 185.00 feet; thence along a tangent curve to the left, having a radius of 15.00 feet, through a central angle of 90°00'00", an arc distance of 23.56 feet to the intersection with the Northeasterly line of Sisk Road, as shown on said Map; thence North 42°47'39" West along said Northeasterly line and along the Southwesterly line of said Parcel D, a distance of 634.72 feet to the most Westerly corner of said Parcel D, thence South 89°34'40" East along the North line of said Parcel D, a distance of 1317.89 feet to the intersection with the Northerly prolongation of the East line of said Parcel B, as shown on said Map; thence South 0°00'43" West along said Northerly prolonged line and along said East line of Parcel B, a distance of 599.95 feet; thence South 89°33'57" East along the North line of said Parcel B a distance of 499.82 feet; thence continuing along said North line of said Parcel B, North 89°44'46" East, 40.65 feet to the point of beginning.

Containing 15.178 Acres of land.

SCHEDULE "A"
CAL ROSSI COMPANY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-824

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 11-3-8 OF THE ZONING MAP (JOAQUIN CONSTRUCTION)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 11-3-8 of the Zoning Map to rezone from R-1 to P-D(240) property located on the west side of Dale, south of Snyder to allow 81 condominium units and 70 zero lot line patio houses

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-199 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 11-3-8 of the Zoning Map be set for September 4, 1979, at 4:00 p.m.in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All of that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel 4, the Easterly one-half of Honey Creek Road and all that portion of Dale Road situated between the centerline of Dale Road and the East line of Parcel 4, all being shown on the map filed in Volume 28 of Parcel Maps at Page 22, in the Stanislaus County Records.

Excepting therefrom the Northwesterly portion of the above described property measuring 462 feet Easterly from the West line and 434 feet Southerly from the North line.

SCHEDULE "A"

JOAQUIN CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 79-825

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (R.T. HUGHES)

WHEREAS, the Modesto City Planning Commission held a public hearing on July 16, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 to R-2, property located at the southwest corner of Prescott Road and Snyder Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-206 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for September 4, 1979, at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of the Northeast quarter of the Northeast quarter of Section 12, Township 3 South, Range 8 East, M.D.B. & M., begin at Northeast corner of said Section 12, running thence South, along the East line of said Section, a distance of 680 feet, thence West, and parallel with the North line of said Section, a distance of 188 feet, thence Northerly, to a point on the Northerly line of said Section 12 which point bears 208.4 feet from the Northeast corner of said Section, thence East, along last mentioned line a distance of 208.4 feet to the point of beginning.

SCHEDULE "A"

R.T. HUGHES

MODESTO CITY COUNCIL
RESOLUTION NO. 79-826

A RESOLUTION GRANTING APPROVAL TO THE ACTIVE 20-30 CLUB OF MODESTO FOR A "SKATE TO THE LIMITS" EVENT IN THE CITY OF MODESTO, SUBJECT TO CERTAIN CONDITIONS.

WHEREAS, The Active 20-30 Club of Modesto (hereinafter referred to as the Club) has filed a request with the City Council for permission to hold an event to be known as "Skate to the Limits" on Sunday, August 26, 1979, and

WHEREAS, the Council deems it appropriate to grant approval to the Club relating to its "Skate to the Limits" event, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby approve the following, subject to the conditions set forth, relating to the Club's "Skate to the Limits" event:

1. I Street between 11th and 12th Streets may be closed to all traffic except emergency vehicles on Sunday, August 26, 1979, between the hours of 9:30 a.m. and 5:00 p.m., subject to the approval of the Chief of Police of the City of Modesto. The Club shall furnish, install and remove, at no cost to the City, street barricades for the closing of said street, the number and type of said barricades to be subject to the approval of the Chief of Police.

2. The Club shall provide, at no cost to the City, four chemical toilets for the "Skate to the Limits" event on Sunday, August 26, 1979. Two of said chemical toilets shall be located at the Southwest corner of 11th and I Streets and two at the Southeast corner of 12th and I Streets.

3. The Club may, as part of its "Skate to the Limits" event, place a concession stand at the Southeast corner of 12th and I Streets and a concession stand at the Southwest corner of 12th and I Streets. Said two concession stands shall dispense soft drinks only. The Club shall obtain all necessary licenses and permits required therefor by law.

4. The Club shall remove any excess trash and debris from I Street between 11th and 12th Streets and the sidewalks and areas in the vicinity thereof which is generated as a result of the "Skate to the Limits" event. The removal of said excess trash and debris by the Club shall be completed by Sunday, August 26, 1979, at 6:00 o'clock p.m.

5. The Club shall provide crowd control and security at the "Skate to the Limits" event, at its sole cost and expense, by arranging for the services of four Reserve Police Officers. Said crowd control and security shall be provided during such times on Sunday, August 26, 1979 as may be required by the Chief of Police.

6. The Club shall arrange for such medical assistance as may be required for participants in the "Skate to the Limits" event. Expenses, if any, for standby medical services shall be the responsibility of the Club.

7. No amplified music shall be permitted in conjunction with said "Skate to the Limits" event.

8. The Club shall indemnify, defend and hold the City of Modesto, its officers, agents and employees, free and harmless from any and all liabilities, claims, demands, actions, losses, damages, or costs, including all costs of defense thereof, and all damages to property of the City of Modesto, caused by, arising out of, or in any way related to the Club's use of I Street between 11th and 12th Streets and the areas adjacent thereto for its "Skate to the Limits" event. Upon demand, the Club shall, at its own expense, defend City, its officers, agents and employees, against all liabilities, claims, demands, actions, losses, damages or costs.

9. The Club shall furnish to the City Clerk of City a current and valid certificate of Public Liability Insurance as shall protect the Club, its agents and employees from all claims for damages for bodily injury, sickness, disease, accidental death, and property damage, any or all of which may arise out of the Club's use of I Street between 11th and 12th Streets, in the City of Modesto, and the areas

adjacent thereto, for its "Skate to the Limits" event.

The amount of said Public Liability Insurance shall be as follows: Public Liability Insurance including Premises, Operations and Products Liability coverage with combined single limits of coverage in the minimum amount of Five Hundred Thousand an no/100ths ($500,000.00) Dollars.

The Club's Public Liability Insurance policy, and the valid certificate of insurance which is to be furnished to the City Clerk shall also contain Contractual Liability coverage in the same amount and stating that the policy is extended to cover all of the liability assumed by the Club under the terms of this Resolution. The Public Liability Insurance policy, and the certificate of insurance, shall not permit cancellation of said insurance policy unless ten (10) days' prior written notice is furnished to the City Clerk.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the Club with a copy of this resolution. The Club shall file a written acceptance of this resolution and the conditions set forth herein with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-827

A RESOLUTION APPOINTING MAYOR MENSINGER AS AN ADDITIONAL ALTERNATE FOR SAAG POLICY BOARD COMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. That Mayor Mensinger be designated as an additional alternate for SAAG Policy Board Committee:

Stanislaus Area Association of Governments members	Councilmembers Bright, Lang, and Muratore
Alternates	Councilmembers Elliott, Kullijian, Siefkin, and Mayor Mensinger

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the SAAG Policy Board Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-828

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF BUILDING APPEALS (WILLIAM VLACH)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Board of Building Appeals for the respective term as indicated:

William Vlach
404 W. Orangeburg Avenue
Modesto, Ca. 95353
Term to expire 1/1/82

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Building Appeals and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-829

A RESOLUTION APPOINTING MEMBER OF THE BOARD OF ZONING ADJUSTMENT (LOUIS GALINDEZ)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Board of Zoning Adjustment for the respective term as indicated:

Louis Galindez
3629 Seminole Lane
Modesto, Ca. 95350

Term to expire 1/1/80

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Board of Zoning Adjustment and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-830

A RESOLUTION APPOINTING MEMBERS OF THE HUMAN RIGHTS COMMISSION (JERROLD FRYE, OCTAVIA MILES, DENNIS STOOPS)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Human Rights Commission for the respective term as indicated:

Jerrold Frye 1032 Brady Avenue Modesto, Ca. 95350 Term to expire 5/1/80	Octavia Miles 1824 Scenic Drive #344 Modesto, Ca. 95355 Term to expire 5/1/83	Dennis Stoops P.O. Box 3637 Modesto, Ca. 95352 Term to expire 5/1/81

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Human Rights Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-831

A RESOLUTION APPOINTING MEMBER OF THE FARM-CITY ADVISORY COMMITTEE (DR. STANLEY HODGES, DANIEL POLLOCK)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Farm-City Advisory Committee for the respective term as indicated:

Dr. Stanley Hodges
921 Parkwood Drive
Modesto, Ca. 95350
Term to expire 5/1/83

Daniel Pollock
1528 Vernon Avenue
Modesto, Ca. 95351
Term to expire 5/1/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed members of the Farm-City Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-832

A RESOLUTION OPPOSING CLASSIFICATION OF THE TUOLUMNE RIVER INTO THE FEDERAL WILD AND SCENIC RIVER SYSTEM

WHEREAS, the City of Modesto has an obligation to its residents to help in whatever way possible to insure that their electrical power needs are met at the lowest possible cost; and

WHEREAS, the citizens of the City of Modesto, both as residents and taxpayers, have the right to enjoy properly heated and illuminated school and public buildings, well-lighted safe streets and other City services and facilities, that require electrical power for their effective operation; and

WHEREAS, electricity generated by current Tuolumne River hydroelectric projects is presently the largest source of electric power for the city and residents of Modesto; and

WHEREAS, the city and residents of Modesto are in need of increased electric power supplies and believe that economically sound and environmentally safe energy generating power projects should be developed both for their own benefit and for the benefit of all Californians; and

WHEREAS, the inclusion of the Tuolumne River in the Federal Wild and Scenic River System would prevent any possible further hydroelectric development;

THEREFORE BE IT RESOLVED, that the City of Modesto strongly opposes the classification of the Tuolumne River into the Federal Wild and Scenic River System.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 7th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore
NOES: Councilmembers: Mayor Mensinger
ABSENT: Councilmembers: Kullijian, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-833

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE IMPROVEMENT OF ORANGEBURG AVENUE FROM COLLIER TO COFFEE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the improvement of Orangeburg Avenue from Collier to Coffee **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1979, at 2:30 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-834

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR BEARD BROOK, DAVIS AND MELLIS PARKS BALLFIELD FENCE REFURBISHING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for Beard Brook, Davis and Mellis Parks ballfield fence refurbishing **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-835

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE WATERLINE EXTENSION IN BLOCK 3203 IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the waterline extension in Block 3203 in the City of Modesto **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 4, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** August, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-836

A RESOLUTION ACCEPTING THE BID OF S.P.M. DEVELOPMENT COMPANY FOR THE RECONSTRUCTION OF THE INVERTED SIPHON IN BEARD BROOK PARK

WHEREAS, Resolution No. 79-692 adopted by the Council of the City of Modesto on July 10, 1979 , approved the plans and specifications for the reconstruction of the inverted siphon in Beard Brook Park and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of the inverted siphon in Beard Brook Park were opened at 2:00 p.m. on August 7, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of S.P.M. Development Company in the amount of $77,875.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of S.P.M. Development Company in the amount of $77,875.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August , 19 79, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-837

A RESOLUTION ACCEPTING THE BID OF ARGOSY CONSTRUCTION COMPANY FOR IMPROVEMENT OF MORRIS AVENUE FROM COLLEGE TO MCHENRY

WHEREAS, Resolution No.79-725, adopted by the Council of the City of Modesto on July 17, 1979 , approved the plans and specifications for the improvement of Morris Avenue from College to McHenry Avenues and authorized the calling for bids; and

WHEREAS, the bids received for the improvement of Morris Avenue from College to McHenry Avenues were opened at 11:00 a.m. on August 7, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Argosy Construction Company in the amount of $106,432.70 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Argosy Construction Company in the amount of $106,432.70 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-838

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH C & C TRAILER AND BODY COMPANY TO REPAIR A GARDEN REFUSE CLAW BUCKET

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the repair of a garden refuse claw bucket is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with C & C Trailer and Body Company to repair a garden refuse claw bucket for the total price of $3,619.99.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-839

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (COLLIER-TROMBETTA ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 3, 19 79, duly adopted Resolution No. 79-683 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, August 14, 19 79, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 206, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

130/000-00160-01/15/79

August 18, 1978
August 11, 1970

COLLIER-TROMBETTA ADDITION

All that real property in the State of California, County of Stanislaus, being a portion of Section 21, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the EAST ORANGEBURG ADDITION (112), as per description filed June 29, 1960, as Instrument 18295, Stanislaus County Records, said point also being on the center line of a public road known as East Orangeburg Avenue which is also a Southern line of the EAST ORANGEBURG NO. 2 ADDITION (219), as per description filed July 30, 1968, as Instrument 23319, Stanislaus County Records; thence along the existing City Limits on said Southern line of Addition (219), South 89° 46' East, 640.86 feet to a Western line of said Addition (219); thence along said Western line and the existing City Limits, South 0° 52'45" East, 214.45 feet to the Northern line of the SUNRISE ADDITION (206), as per description filed September 25, 1967, as Instrument 30334, Stanislaus County Records; thence along the existing City Limits on the boundary of said Addition (206), the following courses and distances; South 0°52'45" East, 1013.66 feet; thence North 89°47'45" West, 152.44 feet; thence North 0°54'20" West, 12.50 feet; thence North 89°47'45" West, 172.50 feet; thence South 0°54'20" East, 10.00 feet; thence North 89° 47'45" West, 152.50 feet; thence North 0°54'20" West, 0.22 feet; thence North 89°47'20" West, 162.43 feet; thence North 0°55'30" West, 235.02 feet; thence North 89°47'20" West, 10.00 feet to a point on the Eastern line of the HELM ADDITION (142), as per description filed December 13, 1962, as Instrument 46565, Stanislaus County Records; thence along the existing City Limits and the Eastern line of said Addition (142), North 0°55'30" West, 330.24 feet to a point on the Southern line of the PINE CONE ADDITION (209), as per description filed January 29, 1968, as Instrument 3054, Stanislaus County Records; thence along the existing City Limits and the Southern line of said Addition (209), South 89°46'50" East, 10.00 feet to the Eastern line of said Addition (209); thence along the existing City Limits and the Eastern line of said Addition (209), North 0°55'30" West, 330.23 feet to a point on the Southern line of the EAST ORANGEBURG ADDITION (112); thence along the existing City Limits and the Eastern line of said Addition (112), North 0°55'30" West, 330.23 feet to the point of beginning, containing 18.061 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 14, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Elliott, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Collier-Trombetta Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79-840

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (ORANGEBURG-CLAUS NO. 3 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 3, 19 79, duly adopted Resolution No. 79-684 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, August 14, 19 79, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 207, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

March 6, 1979
May 18, 1979

LEGAL DESCRIPTION

ORANGEBURG - CLAUS NO. 3 ANNEXATION

All that portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19, being on the present center line of 50.00 foot wide Claus Road, thence NORTH along the West line of said Section 19, and said center line, 503.91 feet to the POINT OF BEGINNING of this description; thence continue NORTH, 818.40 feet; thence leaving said center line South 89° 20' 12" East, along the Westerly extension of the South line and the South line of that certain 18.644 acre parcel shown on the map filed in Book 14 of Record of Surveys at Page 50, Stanislaus County Records, 1257.70 feet to the West line of Modesto Irrigation District right-of-way line; thence South 0° 08' 20" West along said West right-of-way line, 815.67 feet to the North line of Parcel "A" as shown on the map filed in Volume 18 of Parcel Maps at Page 68, Stanislaus County Records; thence North 89° 27' 37" West along said North line 1255.69 feet to the point of beginning.

Containing: 23.57 acres more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 14, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Muratore, seconded by Councilmember Lang, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Orangeburg-Claus Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79-841

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (CALIFORNIA NO. 1 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 3, 1979, duly adopted Resolution No. 79-685 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, August 14, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 208, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ronald Campbell
Public Works Department

130/000-00160-01/15/79

CALIFORNIA NO. 1 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the West quarter corner of Section 31 and proceeding along the quarter section line North 89° 55' 00" East, 945.00 feet; thence North 00° 51' 00" West, 15.00 feet, to a point on the North line of 45.00 foot California Avenue, and the true point of beginning of this description, said point being on the existing City Limits as established by a Southern line of the MARK TWAIN ADDITION (70), as per description filed June 22, 1956, as Instrument 17230, Stanislaus County Records;

1. thence continuing along the existing City Limits, and a Southern line of said ADDITION (70), North 89° 55' 00" East, 532.17 feet, to a Northwest corner of the CALIFORNIA - PANAMA ADDITION (364), as per description filed December 30, 1977, as Instrument 42193, Stanislaus County Records;

2. thence continuing along the existing City Limits, a Western line of said ADDITION (364), and the Eastern line of Parcel A and B, as per map filed July 7, 1972, in Book 14 of Parcel Maps at Page 64, South 00° 44' 56" East, 798.40 feet;

3. thence leaving the existing City Limits, and proceeding along the Southern line of said Parcel B, South 89° 55' 00" West, 530.76 feet;

4. thence along the Western line of said Parcel B, North 00° 51' 00" West, 798.42 feet, to the point of beginning, containing 9.740 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 14, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Bright, seconded by Councilmember Elliott, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-842

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (COFFEE-RUMBLE ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 3, 19 79, duly adopted Resolution No. 79-686 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, August 14, 1979, at the hour of 7:30 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 209, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

130/000-00160-01/15/79

COFFEE-RUMBLE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast one quarter of Section 9, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeast corner of the WALNUT ACRES ADDITION (157), as per description filed May 14, 1963, as Instrument 18496, Stanislaus County Records, said point being on the North line of Rumble Road;

1. thence continuing along the existing City Limits along a North line of said ADDITION (157), North 89° 37' 00" West, 278.00 feet;

2. thence along an Eastern line of said ADDITION (157), North 00° 50' 30" West, 79.00 feet;

3. thence leaving the existing City Limits, South 89° 37' 00" East, 298.00, to the East line of Section 9 and a Western line of the SYLVAN SCHOOL ADDITION (252), as per description filed May 8, 1970, as Instrument 14743, Stanislaus County Records;

4. thence along a Western line of said ADDITION (252), South 00° 50' 30" East, 79.00 feet;

5. thence North 89° 37' 00" West, 20.00 feet, to the point of beginning, containing 0.540 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on August 14, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: August 14, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Coffee-Rumble Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79-843

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (KEITH R. DAMON)

WHEREAS, on August 14, 19 79, the City Council introduced Ordinance No. 1866-C.S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-844

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (237).

WHEREAS, a verified application for an amendment to Section 16-3-9 of the Zoning Map was filed by Big Valley Broadcasting on June 4, 1979, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that portion of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel "A" as shown on the map filed in Book 21 of Parcel Maps at Page 81, in the Stanislaus County Records.

Also all of the Southerly 30 feet of Norwegian Avenue immediately adjacent to said Parcel "A".

WHEREAS, after public hearing held on July 2, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. This existing use was made nonconforming upon annexation to the city. The P-D Zone will make this a conforming use.
2. The P-D Zone and conditions of approval assure a degree of compatibility consonant with the surrounding neighborhood.

WHEREAS, after a public hearing held on August 14, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Big Valley Broadcasting for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1867-C.S. on the 14th day of August, 19 79, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (237).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (237), is hereby approved in accordance with the plan titled "Parking Lot Plan, KTRB-KHOP Radio Station", as amended in red on its face, stamped approved by the Planning Commission on July 2, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform with the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan for the landscape planter areas installed with the new parking area shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That all new parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

5. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

6. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

7. That all signs shall comply with the sign requirements of the H-1 Zone.

8. That the applicant shall record a "Notice of Conditions" form.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (237):

The entire construction program be accomplished in one phase, construction to begin on or before July 1, 1980, and completion to be not later than January 1, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (237) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Wilbur Fields
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-845

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BIG VALLEY BROADCASTING)

WHEREAS, on August 14, 1979, the City Council introduced Ordinance No. 1867-C.S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(237), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(237).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-846

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND SECTION 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D (236), PROPERTY LOCATED ON THE EAST SIDE OF SHERWOOD AVENUE, SOUTH OF BOWEN AVENUE. (LAPATA INTERNATIONAL, LTD.)

WHEREAS, a verified application to amend Section 17-3-9 of the Zoning Map was filed by Lapata International, Ltd. on May 21, 1979, to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (236) to allow a 10-unit, 2-story residential condominium, property located on the east side of Sherwood Avenue, south of Bowen Avenue, described as follows:

> County of Stanislaus, State of California: That portion of Lot 5 of the FRESNO TRACT, as per map filed March 14, 1903, in Volume 1 of Maps, Page 76, and as said Lot is shown on the Map of Resurvey of Lot 5 of FRESNO TRACT, filed on May 19, 1941, in Volume 3 of Surveys, Page 26, described as follows, to-wit:
>
> COMMENCING at the Northwest corner of said Lot 5 of FRESNO TRACT and running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 143.46 feet to the point of beginning of this description; thence running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 123.47 feet to a point; thence North 89° 27' East 398.03 feet to a point in the centerline of irrigation ditch, thence along the centerline of said irrigation ditch, North 1° 28' West, 117.53 feet to a point; thence running in a Westerly direction in a straight line from said last named point to the point of beginning,

and

WHEREAS, said application was set for a public hearing before the Planning Commission on June 18, 1979, and continued to July 2, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-189 recommending to the Council an amendment to Section 17-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(236), the above described property, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on August 14, 1979, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto determined that the proposed rezoning from Single Family Residential Zone, R-1, to Planned Development Zone, P-D(236), should be denied for the following reasons:

1. There is inadequate visitor off-street parking.
2. The density is too high and is not compatible with the surrounding Low Density Residential Zone, R-1 area,

and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting held on August 14, 1979, determined that it was appropriate to waive the one year limitation for Lapata International, Ltd. to submit a new application to the Planning Commission for an amendment to Section 17-3-9 of the Zoning Map to reclassify the above described property,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed rezoning, as recommended by the Planning Commission in its Resolution No. 79-189, to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(236), of the above described property, be denied for the reasons set forth above, and the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Section 17-3-9 of the Zoning Map of the City of Modesto to rezone certain property located thereon.

BE IT FURTHER RESOLVED that this Council finds and determines that the waiving of the one year limitation will not adversely affect the interest of the general public, and that said limitation is hereby waived.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

APPROVED AS TO DESCRIPTION:

By William S. Nichols III
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-847

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (233).

WHEREAS, a verified application for an amendment to Section 12-3-8 of the Zoning Map was filed by Rex Properties on May 21, 1979, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the Southwest quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

All of Parcel 1 as shown on that certain parcel map filed for record on December 16, 1975, in Book 22 of Parcel Maps, Page 28, Stanislaus County Records.

Also including the north half of Rumble Road contiguous to said Parcel 1.

WHEREAS, after public hearing held on June 18, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the Revised Zoning Plan prepared for the Rumble Road Area west of Conant Avenue.
2. The P-D zone and conditions of approval assure a reasonable degree of compatibility with adjacent properties.

WHEREAS, after a public hearing held on August 14, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rex Properties for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1868-C.S. on the 14th day of August, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (233).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (233), is hereby approved in accordance with the plan titled "Palmdale", as amended in red on its face, stamped approved by the Planning Commission on June 18, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the plot plan titled "Palmdale" as amended in red, stamped approved by the Planning Commission on June 18, 1979 and on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the east property line.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Rumble Road and Hahn Drive to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall dedicate sufficient right-of-way to complete Rumble Road and Hahn Drive to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That Hahn Drive shall be improved to at least 40-foot part-width collector street standards.

8. That in the event a public park and/or school is constructed on the north side of the applicant's property, that the applicant shall dedicate 25 feet off the north side of his property for a residential street and improve this right-of-way to City residential street standards upon request by the City.

9. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

10. That street barricades shall be constructed at the end of all deadend streets as required by the City Engineer pursuant to improvement plans.

11. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

12. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

13. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

14. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

15. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

16. That all signs shall comply with the sign requirements of the R-2 Zone.

17. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontage with the number of trees to be determined by the Director of Public Works.

18. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

19. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

20. That the Hayworth Drain shall be removed or plugged in accordance with the requirements of the MID and the City Engineer.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (233):

The construction program be accomplished in two phases as follows:

1. Construction of the 48 dwelling units will commence on or before October 1, 1981, with completion to be by October 1, 1982.

2. Removal of the existing single-family home and construction of the recreation structure will commence on or before October 1, 1983, with completion to be by October 1, 1984.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (233) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Dirkse
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-848

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (REX PROPERTIES)

WHEREAS, on August 7, 1979, the City Council introduced Ordinance No. 1868-C.S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(233), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(233).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-849

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATION OF NURSERY PROPAGATOR PROVIDED UNDER THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, revisions to the job specifications for the classification of Nursery Propagator in the City of Modesto's Position Classification Plan have been recommended by the City Manager, and

WHEREAS, said revisions have been recommended for the following reasons:

1. Greater emphasis is placed on college education as well as work experience.

2. The three year experience requirement, instead of two, is consistent with other leadworkers at salary range 122.5 ($1252-1521).

3. By adding the expectations to assist with street tree planting, additional productivity will be possible during those months when the nursery does not require eight hours per day, five days per week attention.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the job specifications for the position of Nursery Propagator be revised as shown on the attached Exhibit "A" which by this reference is made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the specifications for Nursery Propagator as shown on Exhibit "A" are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by

Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

NURSERY PROPAGATOR

DEFINITION

Under general supervision, to perform a variety of skilled gardening in the propagation of plants and trees in the City's nursery; to ensure the proper operation and maintenance of nursery facilities; to lead and participate in the work of a small crew planting and maintaining street trees or trees on City property; and to do related work as required.

EXAMPLES OF DUTIES

Develops and follows a schedule for the propagation and cultivation of plants, trees and shrubs in the nursery and aboretum; propagates and grows plants, flowers, trees, and shrubs which will be transplanted to City parks, and garden areas; prunes, removes, and thins existing trees, plants, flowers, and shrubs; plants new materials by soil texture, water needs, and growing characteristics; transplants and ensures the proper care of newly transplanted plants; fertilizes greenery and controls insects, fungi, and weeds as needed; maintains proper humidity and heat requirements in the nursery; maintains watering schedules for all plants; assigns, supervises and participates in the work of a small crew engaged in the planting of young trees in subdivisions and replants trees in all areas where necessary during the planting season; makes tree supporting stakes, sprays and injects pesticides for the management of pests and diseases; does selective pruning of young trees to establish permanent branching structures; performs preventive maintenance on tools and equipment utilized in nursery operations and tree planting; recommends purchase of needed supplies and materials; keeps records and makes reports.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

- Methods and techniques of propagating, landscaping, gardening, cultivating, and caring for new trees, plants, flowers, and shrubs;
- Trees, plants, flowers, and shrubs appropriate for the Modesto area;
- Planting practices, pruning techniques, and proper watering and humidity conditions for a nursery;
- Tools and materials used in nursery operations;
- Plant diseases, insect pests and approved methods and materials used in controlling them;
- Proper methods of transplanting newly cultivated trees, plants, and shrubs;
- Tools, materials, equipment and procedures used in street tree maintenance work;
- Operation of a variety of street tree maintenance equipment;
- Tools, materials, equipment used in pruning, pest and disease management, and tree planting;

Safe working practices;
Common and generic names, native habitats, and growing conditions of a variety of California plants.

and

Ability to:

Plan and carry out schedules for the propagation and cultivation of plants, flowers, trees, and shrubs;
Ensure the proper operation and cultivating practices of a nursery;
Properly use tools and equipment required for nursery operation;
Train and oversee the work of other employees assigned to the nursery;
Repair, construct and maintain tree supporting stakes;
Use hand and power tools in performing the repairs and building of tree stakes, pesticides, and chemical injecting;
Perform heavy manual labor;
Read and write at a level required for successful job performance;
Understand and carry out oral and written instructions;
Meet the public to answer questions asked related to their work;
Maintain cooperative working relationships with those contacted during the course of work.

and

Experience:

Three years of paid, full-time experience in skilled gardening or nursery work. (Completion of sixty (60) or more college semester units from an accredited university or college of which at least twenty (20) units are completed in arboriculture, horticulture, or urban forestry may substitute for two (2) years of the required experience.)

wpc
7/24/79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-850

A RESOLUTION EXERCISING OPTION TO PURCHASE PROPERTY FOR THE CONSTRUCTION OF A PUBLIC PARKING GARAGE.

WHEREAS, the City of Modesto and the Bank of America NT&SA, a National Banking Association, have entered into a certain Option to Purchase Agreement dated April 3, 1979 whereby the City of Modesto acquired the exclusive right, privilege and option to purchase that certain real property situated in the City of Modesto, County of Stanislaus, State of California, more particularly described as follows:

> All that real property in the State of California, County of Stanislaus, City of Modesto, being a portion of the Southeast quarter of Section 29, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> Lots 11 and 12 in Block 68 of the CITY OF MODESTO, as per map filed December 21, 1942, in Volume 15 of Maps, Stanislaus County Records,

and

WHEREAS, paragraph 5 of said Agreement provides that in the event that the City of Modesto desires to avail itself of the option therein granted, it shall exercise said option by resolution of the City Council, and

WHEREAS, the Council of the City of Modesto is desirous of acquiring said land for the construction of a public parking garage and of exercising said option,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby exercises the option to purchase granted in that certain Option to Purchase Agreement dated April 3, 1979, and

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to transmit a certified copy of this resolution to Bank of America NT&SA by certified mail as provided in said agreement.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-851

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN GRANT, INC. A CALIFORNIA CORPORATION TO ACQUIRE 0.099± ACRES OF RIGHT OF WAY NEEDED FOR THE RIVERSIDE/YOSEMITE TRAFFIC SIGNAL PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen Grant, Inc., a California Corporation, to acquire 0.099± acres of right of way needed for the Riverside/Yosemite traffic signal project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-852

A RESOLUTION ACCEPTING IMPROVEMENTS IN HOLLANDIA ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Jan F. and Deane V. Rouw , subdividers of Hollandia Estates Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 304,000 and $ 152,000 respectively to guarantee improvements in Hollandia Estates ; and

WHEREAS, the Director of Public Works in a memorandum dated July 17, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Hollandia Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 304,000.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 152,000.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August , 19 79 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-853

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS AND UNCLAIMED PERSONAL PROPERTY.

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell those certain items of personal property of the City of Modesto as shown on that certain document entitled "Surplus Property Listing Sheet" dated August 14, 1979, on file in the office of the City Clerk. Said personal property has been found to be surplus and of no use to the City.

SECTION 2. The City Manager is hereby authorized and directed to sell those certain items of personal property now in the possession of the Police Department, which have been unclaimed for a period of at least six (6) months, or which are confiscated items and have been in possession of the Police Department for a period of at least six (6) months, as shown on that certain document entitled "List of Unclaimed or Confiscated Property Held by the Police Department" dated August 14, 1979, which document is on file in the office of the City Clerk.

SECTION 3. The foregoing sales shall be made at public auction in the City of Modesto. The City Manager is hereby authorized to fix the time and place for said sales. At least five (5) days before the time fixed for each sale, the City Clerk shall cause notice thereof to be published in The Modesto Bee, the official newspaper of the City of Modesto. Said notice shall set forth the time and place of the sale, and that a list of the items of property to be offered for sale can be inspected in the office of the City Clerk.

The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold at said auction sales shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-854

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FIREMAN'S FUND AMERICAN FOR RENEWAL OF AIRPORT LIABILITY INSURANCE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Fireman's Fund American **for** Airport Liability Insurance for 1979-1980 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th **day of** August, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-855

A RESOLUTION APPROVING UPGRADING OF MUSEUM AND MCCLURE HOUSE INSURANCE COVERAGE

WHEREAS, the current policy which covers the Museum and the McClure House expired on August 6, 1979, and

WHEREAS, a review of the coverage by the Risk Manager indicates that it is inadequate and does not adequately cover the fixed assets, the furniture, or the display items; and

WHEREAS, it has been determined that an increase of premium from $1,364 to $4,400 would adequately cover the fixed assets, the furniture, and display items at the Museum and the McClure house.

THEREFORE, BE IT RESOLVED that the City Council of the City of Modesto, that it does hereby authorize the upgrading of insurance coverage to $4,400 for the insurance policy covering the Museum and the McClure house.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-856

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $3,035 FROM GENERAL RESERVE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 101)	$3,035
TO:	McHenry Museum Insurance (417 290 101)	$3,035

Additional amount needed to upgrade and renew Museum insurance coverage.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-857

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(150)(JEFFREY TAMKIN)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 6, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to :-D(150) to allow inclusion of a K-Mart Department Store including auto service center in place of smaller shops on property located at the northwest corner of Sylvan Avenue and Oakdale Road;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No.79-214 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(150) of the Zoning Map be set for September 11, 1979, at 7:30 p.m.in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-858

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 14-3-9 OF THE ZONING MAP (JOAQUIN CONSTRUCTION COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 6, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 14-3-9 of the Zoning Map, to rezone from R-1 to P-D(242) to allow an 879 unit, one and two-story residential condominium and apartment complex on property located on the west side of Roselle Avenue between Floyd and Merle Avenues
the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-218 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 14-3-9 of the Zoning Map be set for September 11, 1979, at 7:30 p.m.,in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 14th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of Section 14, Township 3 South, Range 9 East, Mt. Diablo Base and Meridian, City of Modesto, State of California, described as follows:

All of Lots 2, 4, 5, and 6 of the Hilkey Subdivision as recorded in Volume 26 of Maps at Page 43, Stanislaus County Records.

Including also the Northerly 30 feet of Merle Avenue immediately adjacent to said Lot 2 and the Southerly 30 feet of Floyd Avenue, immediately adjacent to said Lots 4, 5, and 6.

SCHEDULE "A"
JOAQUIN CONSTRUCTION COMPANY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-859

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AN APPEAL BY SANDERS CONSTRUCTION CO., INC. TO A DECISION BY THE DIRECTOR OF PARKING AND TRAFFIC REGARDING CONDITION 22 OF P-D(155) (LONG'S DRUG STORES)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that September 4, 1979 , at 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Sanders Construction Company, Inc. to a decision by the Director of Parking and Traffic regarding Condition No. 22 of P-D(155).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-860

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPAIR OF THE URETHANE FOAM INSTALLATION ON THE PRIMARY DIGESTER LOCATED AT THE CITY OF MODESTO WATER QUALITY CONTROL PLANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the repair of the urethane foam installation on the primary digester at the Water Quality Control Plant **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 11, 1979 at 11:15 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-861

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPLACEMENT OF WATERLINES IN BLOCKS 9013 AND 9019

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the replacement of waterlines in Blocks 9013 and 9019 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 11, 1979 at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYZE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-862

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPLACEMENT OF WATERLINES IN IMPERIAL AVENUE AND GUTHRIE STREET

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for replacement of waterlines in Imperial Avenue and Guthrie Street **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 11, 1979 at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-863

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RENOVATION OF PUMP STATION NO. 6

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the renovation of Pump Station No. 6 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 11, 1979 at 11:10 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-864

A RESOLUTION ACCEPTING THE BID OF MATTESON CONSTRUCTION COMPANY FOR MODIFICATION OF BUILDING NO. 1 AT THE CITY SERVICE YARD

WHEREAS, Resolution No.79-753, adopted by the Council of the City of Modesto on July 24, 1979 , approved the plans and specifications for the modification of Building No. 1 at the City Service Yard and authorized the calling for bids; and

WHEREAS, the bids received for the modification of Building No. 1 at the City Service Yard were opened at 11:05 a.m. on August 14, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Matteson Construction Company in the amount of $23,247 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Matteson Construction Company in the amount of $23,247 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August , 1979 , by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-865

A RESOLUTION ACCEPTING THE BID OF ACE ALUMINUM OF FRESNO FOR TEN BUS PASSENGER SHELTERS

WHEREAS, Resolution No.79-623, adopted by the Council of the City of Modesto on June 26, 1979 , approved the plans and specifications for the purchase of ten bus passenger shelters and authorized the calling for bids; and

WHEREAS, the bids received for the ten bus passenger shelters were opened at 2:00 p.m. on August 10, 1979 , and later tabulated by the Director of Parking and Traffic / for the consideration of the Council; and

WHEREAS, the Director of Parking and Traffic / has recommended that the bid of Ace Aluminum in the amount of $11,495.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Ace Aluminum in the amount of $11,495.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August , 1979 , by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-866

A RESOLUTION ACCEPTING THE CONSTRUCTION OF AIRCRAFT PARKING RAMP DRAIN AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the aircraft parking ramp drain

has been completed by George Reed, Inc.

in accordance with the contract agreement dated June 5, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of the aircraft parking ramp drain be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $33,435 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-867

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH THE STATE DEPARTMENT OF TRANSPORTATION FOR STATE-PERFORMED SERVICES ON THE STANDIFORD AVENUE PROJECT

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for Labor Compliance and E.E.O. Services, Hot Plant inspection and testing, and tagging of materials to be performed in conjunction with our Standiford Avenue - 200 feet west of Carver to Tully project, is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with the State Department of Transportation for State-performed services on the Standiford Avenue project, from an original purchase order of $3,000.00 to a total estimated cost of $6,000.00.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-208

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (235).

WHEREAS, a verified application for an amendment to Section 19-3-9 of the Zoning Map was filed by Allen Grant on May 21, 1979, to reclassify from Highway Frontage Zone, H-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, being a portion of the Northwest quarter of Section 19, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of Lot 8 of the McDonald Tract, as per map filed April 30, 1903, in Volume 1 of Maps, Page 49, Stanislaus County Records, said point also lying on the centerline of 60-foot wide Martin Avenue; thence along the North line of said Lot 8, North 89° 28' West, 773.6 feet to the true point of beginning of this description; thence North 89° 28' West, 205.54 feet; thence South 0° 41' East, 110.93 feet; thence North 89° 48' West, 132.85 feet to the East line of North Ninth Street; thence along said East line North 43' 08' 31" West, 5.81 feet; thence North 30° 47' 19" West, 559.35 feet; thence North 33° 27' 17" East, 109.03 feet to the West line of U. S. Highway 99 right-of-way; thence along said West line South 56° 32' 43" East, 287.00 feet; thence South 51° 56' 11" East, 587.02 feet; thence South 41° 51' 32" East, 43.39 feet; thence South 32° 02' 43" East, 367.57 feet thence South 37° 36' 42" East, 60.44 feet; thence leaving the West line of U. S. Highway 99 South 89° 07' West, 38.53 feet to the Southern line of Clayton Avenue; thence along a radial line North 50° 08' 53" West, 40.00 feet to the centerline of 50.00-foot wide Clayton Avenue; thence along said centerline South 89° 07' West 299.27 feet; thence North 0° 41' West, 25.00 feet to the North line of Clayton Avenue; thence continuing North 0° 41' West, 403.59 feet to the true point of beginning.

WHEREAS, after public hearing held on June 18, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will allow a development much like that allowed in the existing H-1 zone except that the P-D will allow a wider and "Full Service" range of uses.
2. The proposed P-D zone is compatible with surrounding existing and potential land uses.
3. The odd shape of the lot makes development under existing H-1 zoning difficult due to building setback and peripheral landscaping requirements.

WHEREAS, after a public hearing held on August 21, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Allen Grant for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1869-C.S. on the 21st day of August, 1979, reclassifying the above-described property from Highway Frontage Zone, H-1 to Planned-Development Zone, P-D (235).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (235), is hereby approved in accordance with the plan titled "Site Plan" _____, as amended in red on its face, stamped approved by the Planning Commission on June 18, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That the applicant shall submit a revised plot plan showing all changes required by the Planning Commission prior to the City Council hearing. All development shall conform to this revised plan as amended in red, stamped approved by the Planning Commission on June 18, 1979 and on file in the Planning and Community Development Department.

3. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

4. That prior to occupancy of the premises, a minimum of a six-foot or a maximum of an eight-foot high solid decorative masonry wall shall be constructed as shown on the plot plan.

5. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

6. That the developer shall improve Clayton Avenue and North 9th Street to City of Modesto street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

8. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

9. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

10. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

11. That all signs shall comply with the sign requirements of the H-1 Zone.

12. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (235):

The entire construction program be accomplished in one phase, construction to begin on or before September 1, 1981, and completion to be not later than March 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (235) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Lane, who moved its adoption, which motion being duly seconded by Councilmember Furatore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lane, Furatore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William J. Rhodes
Department of Planning and Community Development

APPROVED AS TO FORM

Michael F. Dean
Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-869

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ALLEN GRANT)

WHEREAS, on August 21, 19 79, the City Council introduced Ordinance No. 1869-C.S. giving approval to a project relating to an amendment to Section Map 19-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Highway Frontage Zone, H-1, to Planned-Development Zone, P-D(235), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Highway Frontage Zone, H-1, to Planned-Development Zone, P-D(235).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO FORM
Michael F. Dean
Michael F. Dean
Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-870

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (238).

WHEREAS, a verified application for an amendment to Section 19-3-10 of the Zoning Map was filed by Fara Estates, LTD. on May 21, 19 79, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Northwest quarter of Section 19, Township 3 South, Range 10 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the West quarter corner of said Section 19 being on the centerline of Claus Road (50.00 feet wide); thence North along the West line of said Section 19 and said centerline a distance of 503.91 feet to the point of beginning of this description; thence continuing along last named line North 828.40 feet; thence leaving said centerline South 89° 20' 12" East, 151.46 feet; thence Northeasterly along a tangent curve concave to the northwest having a radius of 300.00 feet a central angle of 21° 28' 30", an arc distance of 112.44 to a point of cusp; thence from said point of cusp Southeasterly along a curve concave to the northeast, a radial line of said curve through said point bearing North 70° 59" 15" East, having a radius of 250.00 feet, through a central angle of 7° 42' 41" an arc distance of 33.65 feet; thence South 89° 20' 12" East, 193.21 feet; thence South 0° 39"48" West, 133.34 feet to a point of cusp; thence from said point of cusp along a curve concave to the northeast, a radial line of said curve through said point bearing North 7° 16' 14" East, having a radius of 250.00 feet, a distance of 28.82 feet to the centerline of a proposed 50.00-foot wide street; thence along said centerline South, 682.32 feet; thence North 89° 27' 37" West, 495.00 feet to the point of beginning.

WHEREAS, after public hearing held on July 2, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the neighborhood prototype in the General Plan.
2. The P-D and conditions of approval assure a degree of compatibility consonant with the surrounding properties.

WHEREAS, after a public hearing held on August 21, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Fara Estates, LTD. for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1870-C.S. on the 21st day of August, 19 79, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (238).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D(238), is hereby approved in accordance with the plan titled "97 Unit Apartment Complex (P-D Zone) 97 Apartments; Proposed Condominium Project - for Modesto Devel. Co.", as amended in red on its face, stamped approved by the Planning Commission on July 2, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the south property lines.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Claus Road to major street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. That the developer shall improve East Orangeburg Avenue to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. That the developer shall dedicate sufficient right-of-way to complete Claus Road to a major street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

8. That the developer shall dedicate sufficient right-of-way to complete East Orangeburg to a collector street standard in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

9. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the City Engineer for approval. All public improvements shall be constructed in accordance with the approved plans.

10. That prior to the issuance of a building permit, if the required public street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements prior to occupancy.

11. That street barricades shall be constructed at the end of all deadend streets as required by the City Engineer pursuant to improvement plans.

12. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

13. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

14. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

15. That the development shall be served by positive storm drainage as required by the Director of Public Works.

16. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

17. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

18. That all signs shall comply with the sign requirements of the R-2 Zone.

19. That prior to the issuance of a building permit for any structure, a tentative subdivision map shall be filed and a final subdivision map recorded which conforms to the revised P-D design.

20. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

21. That any roof-mounted air conditioning units installed shall be screened from the view of the adjoining streets.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (238):

The entire construction program be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (238) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO FORM
Michael F. Dean
Deputy City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-871

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 19-3-10 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FARA ESTATES, LTD.)

WHEREAS, on August 21, 1979, the City Council introduced Ordinance No. 1870-C.S. giving approval to a project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(238), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 19-3-10 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(238).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO FORM

Michael F. Dean
Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-872

A RESOLUTION GRANTING THE APPEAL OF THE FOURELS INVESTMENT CO. TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT GRANTING AN H-1 USE PERMIT FOR A USED CAR LOT ON THE NORTHWEST CORNER OF SISK ROAD AND BRIGGSMORE AVENUE TO JERRY SIMS, AND OVERRULING THE DECISION OF THE BOARD OF ZONING ADJUSTMENT.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a used car lot utilizing portable buildings on property located on the northwest corner of Sisk Road and Briggsmore Avenue in the City of Modesto was filed by Jerry Sims on May 7, 1979, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2903(f)(2) of the Modesto Municipal Code authorize the granting of conditional use permits for new and used car dealerships in the H-1 Zone by the Board of Zoning Adjustment after public hearing, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on June 28, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California on said application, and evidence both oral and documentary was received and considered, and

WHEREAS, at said public hearing, the Board of Zoning Adjustment, by Resolution No. 869, found and determined that the application for a conditional use permit in the H-1 Zone for a used car dealership was required by public necessity, convenience, and general welfare for the following reasons:

1. New and used car establishments are permitted in the H-1 Zone subject to securing a conditional use permit from the Board of Zoning Adjustment.

2. The facility as proposed is compatible with other existing and potential commercial uses in the surrounding area particularly in view of the auto orientation of the other businesses.

3. The proposed used car lot represents optimum commercial use of a difficult property and is a relatively low volume business as compared to other surrounding existing and potential businesses.

4. The conditions of approval, including requirement for increased landscaping and prohibition of freestanding signs assure that the development standards of the H-1 Zone are met, and

WHEREAS, an appeal was filed by The Fourels Investment Co. with the Modesto City Council by letter dated July 9, 1979, to the decision of the Board of Zoning Adjustment granting a conditional use permit in the H-1 Zone to Jerry Sims to allow a used car lot utilizing portable buildings on property located on the northwest corner of Sisk Road and Briggsmore Avenue in the City of Modesto, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p. m. on August 7, 1979, and thereafter continued to August 21, 1979, at 4:00 o'clock p. m. at the request of The Fourels Investment Co., and

WHEREAST, at said continued hearing the City Council, after hearing evidence both oral and documentary, found and determined that the appeal filed by The Fourels Investment Co. to the decision of the Board of Zoning Adjustment granting a conditional use permit in the H-1 Zone to Jerry Sims to allow a used car lot utilizing portable buildings on the property located on the northwest corner of Sisk Road and Briggsmore Avenue in the City of Modesto should be granted for the following reasons, and that the decision of the Board of Zoning Adjustment should be overruled:

1. The proposed project will interfere with vehicular safety and traffic flow in the adjacent streets and intersection.

2. Inadequate on-site parking has been provided, and

WHEREAS, the City Council, at said Council meeting, reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal of The Fourels Investment Co. to the decision of the Board of Zoning Adjustment granting to Jerry Sims a conditional use permit in the H-1 Zone to allow a used car lot utilizing portable buildings on the property located on the northwest corner of Sisk Road and Briggsmore Avenue in the City of Modesto is hereby granted, and the decision of the Board of Zoning Adjustment, as set forth in its Resolution No. 869 is hereby overruled.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: Kullijian

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-873

A RESOLUTION EXTENDING TO THE CITY OF MOORABBIN, STATE OF VICTORIA, COMMONWEALTH OF AUSTRALIA, AN INVITATION TO BE DESIGNATED AS AN AFFILIATE CITY TO THE CITY OF MODESTO UNDER THE INTERNATIONAL TOWN AFFILIATION PROGRAM

WHEREAS, people to people, or Town Affiliation, is a program of communication and international exchange between Americans and the people of other lands designed to establish lasting two-way relationships from which international friendship and understanding can grow; and

WHEREAS, the program of sister city affiliation is designed to develop understanding and tolerance and to broaden the horizons of the citizens of each affiliated community in culture, science, industry and economy, thus promoting the social progress of the sister city, and raising the standards of living and judgment of the people of both cities and developing a united strength to maintain world peace in the face of constant threats against civilization and progress; and

WHEREAS, the Council of the City of Modesto has expressed its approval of the Town Affiliation Program; and

WHEREAS, a committee known as the Modesto Sister City Committee exists to implement and assume the responsibility of carrying out the program; and

WHEREAS, the Modesto Sister City Committee has recommended the designation of the City of Moorabbin, State of Victoria, Commonwealth of Australia, as an additional sister city affiliation with the City of Modesto; and

WHEREAS, the Mayor of the City of Moorabbin has informed the Mayor of the City of Modesto that his city would consider it a privilege and honor to be chosen as a sister city affiliate with the City of Modesto; and

WHEREAS, the City of Modesto would be receptive to the designation of the City of Moorabbin as a sister city affiliate with the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City of Modesto hereby extends to the City of Moorabbin, State of Victoria, Commonwealth of Australia, the invitation to be designated as the affiliate sister city to the City of Modesto under the Town Affiliation Program.

SECTION 2. The Mayor of the City of Modesto is hereby requested to transmit a copy of this resolution to the City of Moorabbin for its consideration and official acceptance, if approved, as the sister city affiliate to the City of Modesto under the International Town Affiliation Program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Elliott, Siefkin

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-873

A RESOLUTION EXTENDING TO THE CITY OF MOORABBIN, STATE OF VICTORIA, COMMONWEALTH OF AUSTRALIA, AN INVITATION TO BE DESIGNATED AS AN AFFILIATE CITY TO THE CITY OF MODESTO UNDER THE INTERNATIONAL TOWN AFFILIATION PROGRAM

WHEREAS, the program of sister city affiliation is designated to develop understanding and tolerance and to broaden the horizons of the citizens of each affiliated community in culture, science, industry and economy, thus promoting the social progress of the sister city, and raising the standards of living and judgment of the people of both cities and developing a united strength to maintain world peace in the face of constant threats against civilization and progress; and

WHEREAS, the Modesto Sister City Committee, which exists to implement and assume the responsibility of carrying out the Town Affiliation Program, has recommended the designation of the City of Moorabbin, State of Victoria, Commonwealth of Australia, as an additional sister city affiliation with the City of Modesto; and

WHEREAS, the Mayor of the City of Moorabbin has informed the Mayor of the City of Modesto that his city would consider it a privilege and honor to be chosen as a sister city affiliate with the City of Modesto; and

WHEREAS, the City of Modesto would be receptive to the designation of the City of Moorabbin as a sister city affiliate with the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City of Modesto hereby extends to the City of Moorabbin, State of Victoria, Commonwealth of Australia, the invitation to be designated as the affiliate sister city to the City of Modesto under the Town Affiliation Program.

SECTION 2. The Mayor of the City of Modesto is hereby requested to transmit a copy of this resolution to the City of Moorabbin for its consideration and official acceptance, if approved, as the sister city affiliate to the City of Modesto under the International Town Affiliation Program.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Mayor Mensinger
NOES: Councilmembers: None
ABSENT: Councilmembers: Elliott, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-874

A RESOLUTION APPROVING THE REQUEST OF POOL PATIO & THINGS FOR REFUND OF MILL TAX PAID IN ERROR FOR THE QUARTER ENDING MARCH 31, 1979

BE IT RESOLVED by the Council of the City of Modesto that the request of Pool Patio & Things for refund of $505.39 for mill tax paid in error for the quarter ending March 31, 1979, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Elliott , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-875

A RESOLUTION APPROVING THE FINAL MAP OF THE TAHITIAN PLAZA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Hasco Development Company, a partnership

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 3.871 acres, known as the Tahitian Plaza Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 20th day of February, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Tahitian Plaza Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Council-

member Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO FORM
Michael P. Dean
Michael P. Dean
Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-876

A RESOLUTION APPROVING THE FINAL MAP OF THE SUTTER TOWNHOUSES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Don E. Cowdrey and Martha J. Cowdrey, husband and wife; and James R. Corn Enterprises, Incorporated, a corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of .992 acres, known as the Sutter Townhouses Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 4th day of June, 19 79, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Sutter Townhouses Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Council-

member Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO FORM
Michael F. Dean
Deputy City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-877

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR COLORADO-SOUTH ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Colorado-South Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Colorado-South

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

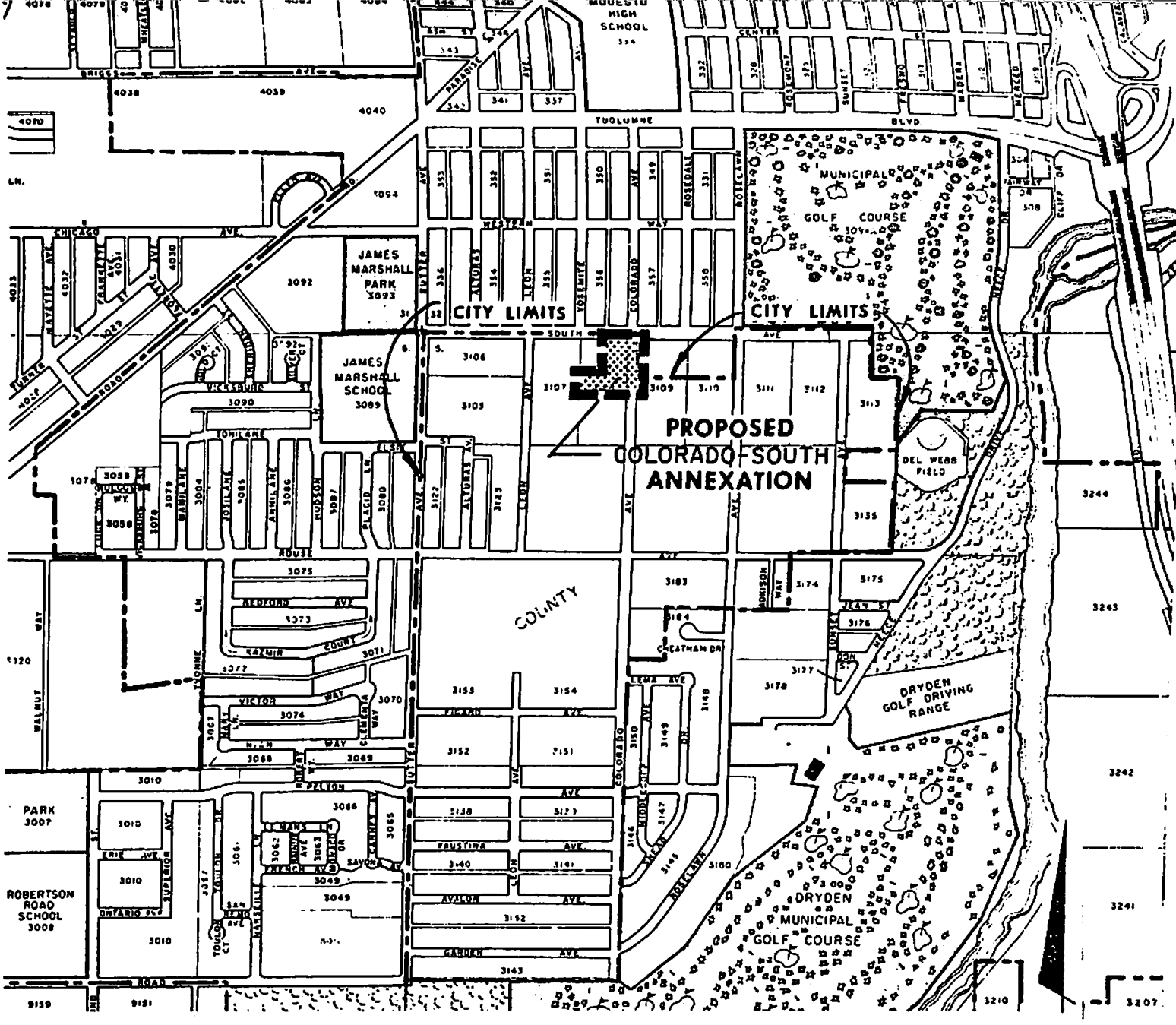
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



PROPOSED COLORADO-SOUTH ANNEXATION

N

SCALE · 1"=1000'

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-878

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR STANDIFORD-CARVER NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Standiford-Carver No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Standiford-Carver No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

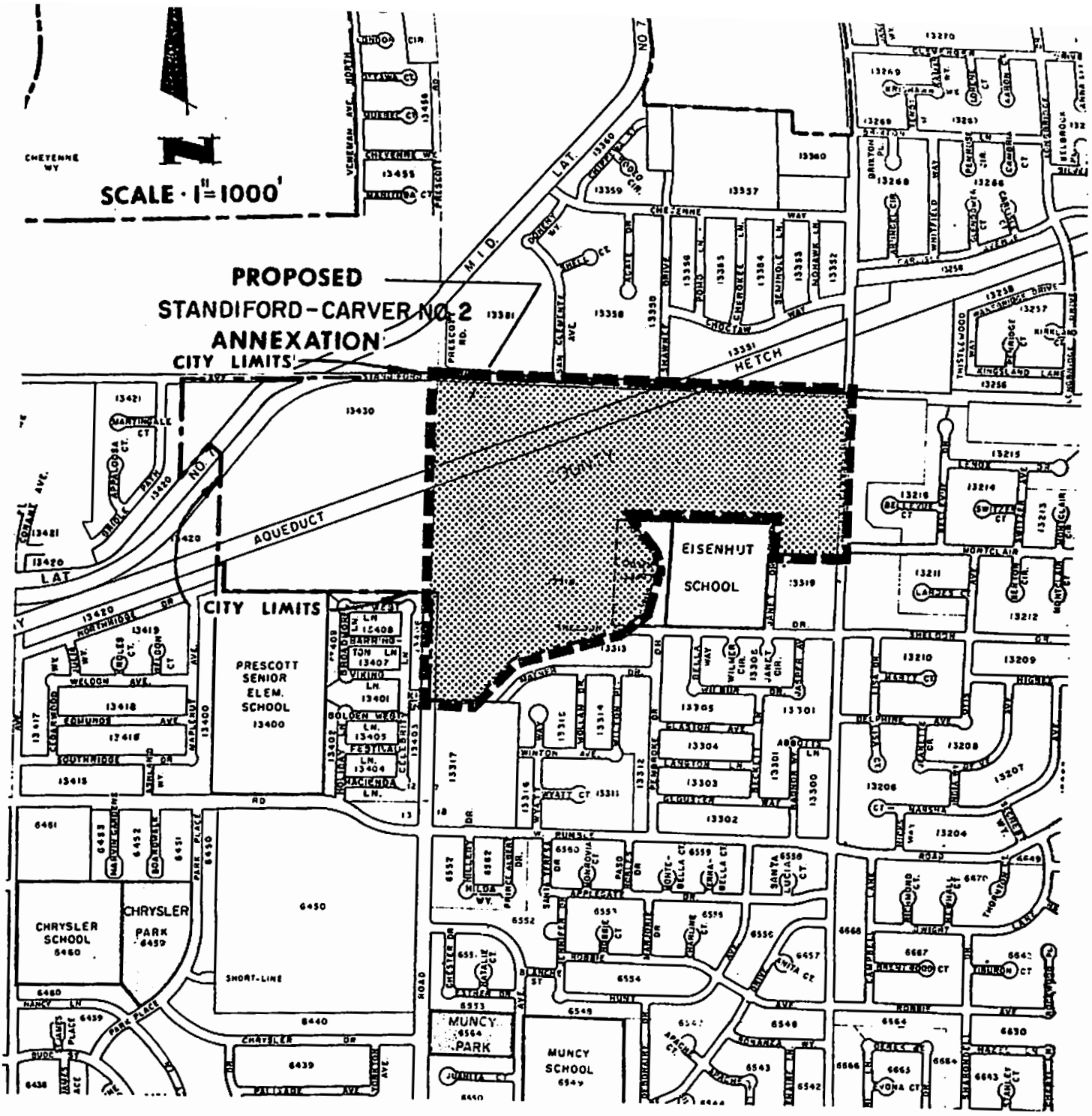
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



PROPOSED
STANDIFORD - CARVER NO. 2
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-879

A RESOLUTION OBJECTING TO THE SALE OF TWO PARCELS OF REAL PROPERTY HEREIN DESCRIBED BY THE TAX COLLECTOR OF THE COUNTY OF STANISLAUS AS PROVIDED BY SECTION 3695 OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.

WHEREAS, the Board of Supervisors of the County of Stanislaus, State of California, has authorized the Tax Collector of the County of Stanislaus to sell at public auction certain real property situated in said County and which has been deeded to the State of California for nonpayment of delinquent taxes, and

WHEREAS, the hereinafter described property is situated in the City of Modesto, County of Stanislaus, State of California, and

WHEREAS, said property has also been sold for nonpayment of taxes levied and assessed by said City of Modesto and County of Stanislaus on said property for a period of five (5) years and said taxes due to said City and County have not been paid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that in accordance with the provisions of Section 3695 of the Revenue and Taxation Code of the State of California, said City of Modesto hereby objects to the sale of said property hereinafter described by said County Tax Collector.

The real property herein mentioned is situated in the City of Modesto, County of Stanislaus, State of California, and is more particularly described as follows:

Parcel 13260-1

All that portion of the Northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Lot 8 in Block 13260 of the PALAMINO ESTATES Subdivision, as per map filed February 9, 1972 in Book 23 of Maps, Page 64, Stanislaus County Records.

Parcel 13262-1

All that portion of the Northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Lot 13 in Block 13262 of the PALAMINO ESTATES Subdivision, as per map filed February 9, 1972 in Book 23 of Maps, Page 64, Stanislaus County Records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st day of August, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lane, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Sieglin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Michael F. Dean
MICHAEL F. DEAN, Deputy City Attorney

Approved as to Description: Thomas Cerrigo
Public Works Department
J.C. - 8-15-79

MODESTO CITY COUNCIL
RESOLUTION NO. 79-880

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BLUE SHIELD SERVICE CORPORATION TO PROVIDE HEALTH INSURANCE COVERAGE THROUGH SEPTEMBER 1, 1980

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Blue Shield Service Corporation to provide **for** health insurance coverage through September 1, 1980

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-881

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM GENERAL RESERVE FOR THE LINING OF THE EMERALD AVENUE TRUNK SEWER NORTH OF ROBERTSON ROAD

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 212)	$115,000
TO:	Line Emerald Sewer @ Robertson Road (6433 520 212)	$115,000

The section of the Emerald Avenue trunk sewer north of Robertson Road is in need of repair. This transfer will provide funds to place a liner inside the pipe while the line is in operation. See memo dated 8/15/79.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 21st **day of** August, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-882

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESURFACING CITY STREETS 1979-80 PHASE I

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for resurfacing City streets 1979-80 Phase I **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 18, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** August, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Bright, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-883

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING ONE POLICE MOTORCYCLE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for purchasing one police motorcycle **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 2:15 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** August, 19 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-884

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF SUBTRUNK SEWER IN HONEY CREEK ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of subtrunk sewer in Honey Creek Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 18, 1979, at 11:10 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** August, **19**79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-885

A RESOLUTION ACCEPTING THE FIVE NEW GILLIG BUSES FROM THE GILLIG CORPORATION

WHEREAS, a report has been filed by the Director of Parking and Traffic that the five new Gillig buses furnished by the Gillig Corporation, have been received in accordance with the contract agreement dated June 26, 1978.

NOW, THEREFORE, BE IT RESOLVED that the five new Gillig buses be accepted from the Gillig Corporation, and that payment of the amount due in the amount of $1,950.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-886

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH HEWLETT-PACKARD FOR THE PURCHASE OF A GRAPHICS PRINTER AND CABLE

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedures for the purchase of a graphics printer and cable is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Hewlett-Packard for the purchase of a graphics printer and cable for the total price of $4,601.56.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-887

A RESOLUTION DECLARING THAT A SUFFICIENT PROTEST HAS NOT BEEN MADE AGAINST THE ANNEXATION OF CERTAIN UNINHABITED TERRITORY TO THE CITY OF MODESTO KNOWN AS SUTTER-FIGARO ANNEXATION TO THE CITY OF MODESTO AND ORDERING THE ANNEXATION OF SAID TERRITORY.

WHEREAS, by Resolution No. 79-771, adopted on July 24, 1979, the Council of the City of Modesto initiated proceedings to annex to the City of Modesto certain uninhabited territory known as Sutter-Figaro Annexation to the City of Modesto, and

WHEREAS, by said Resolution No. 79-771, the Council fixed the 28th day of August, 1979, at the hour of 7:30 o'clock P.M., in the Council Chanbers at the City Hall, located at 801 11th Street in the City of Modesto as the time and place for hearing protests against said annexation, and

WHEREAS, a copy of said Resolution No. 79-771 was duly published in The Modesto Bee, a newspaper of general circulation, published in the City of Modesto and in the County of Stanislaus, and being the official newspaper of the City of Modesto, said publications being completed at least fifteen (15) days prior to the date set for the hearing, and

WHEREAS, the City Clerk has given notice to all persons legally entitled thereto, in the manner required by law, and

WHEREAS, on the 28th day of August, 1979, at the hour of 7:30 o'clock P.M., in the Council Chambers at the City Hall, 801 11th Street in the City of Modesto, County of Stanislaus, State of California, the Council of the City of Modesto did hear and pass upon all protests made to the proposed annexation, and

WHEREAS, written protests have not been filed by the owners of fifty (50%) percent of the total assessed value of land and improvements within the territory proposed to be annexed as shown by the last equalized assessment roll, nor by public and

private owners of one-half of the value of the territory proposed to be annexed as determined by said Council, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by Resolution dated June 27, 19 79, ordered that a negative declaration be filed as to the environmental effect of the subject annexation,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All of the requirements of the Municipal Organization Act of 1977, as amended, have been complied with.

2. The area or territory designated as the Sutter-Figaro Annexation to the City of Modesto, is uninhabited territory within the meaning of the Municipal Organization Act of 1977, as amended, and is more particularly described as attached hereto and made a part hereof as though set forth in full herein.

3. No change in school district boundaries shall be effected by reason of the annexation of the hereinafter described area to the City of Modesto.

4. Said territory is hereby annexed to and made a part of the City of Modesto.

5. Said territory shall be subject to municipal taxes to pay any indebtedness or liability of the City of Modesto authorized or existing at the time of the adoption of this resolution.

BE IT FURTHER RESOLVED that the City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, seven certified copies of this resolution, stating the date of its passage; to immediately make seven copies of the boundary description of the annexation; and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the LAFCO executive officer together with a payment of all fees required by California Government Code Section 54902.5.

BE IT FURTHER RESOLVED that pursuant to California Government Code Section 35355, this annexation shall be effective on the date of execution of the certificate

of completion by the LAFCO executive officer.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of the subject annexation is hereby approved and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of said annexation.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Robert Campbell
Public Works Department

SUTTER-FIGARO ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Eastern line of the MINENI MANOR ADDITION (63), as per description filed July 26, 1955, as Instrument 21227, Stanislaus County Records, said point being 100.00 feet North of the Southeastern corner of said ADDITION (63), and being on the West line of Section 5;

1. thence continuing along the existing City Limits, the Western line of Section 5, and the Eastern line of said ADDITION (63), North 00° 03' 00" West, 477.50 feet;

2. thence leaving the existing City Limits, North 89° 45' 00" East, 264.00 feet;

3. thence South 00° 03' 00" East, 247.50 feet, to the center line of 40.00 foot Figaro Avenue;

4. thence South 89° 45' 00" West, 50.00 feet;

5. thence South 00° 03' 00" East, 165.00 feet;

6. thence South 89° 45' 00" West, 82.00 feet;

7. thence South 00° 03' 00" East 65.00 feet;

8. thence South 89° 45' 00" West, 132.00 feet;

to the point of beginning, containing 2.508 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-888

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF MODESTO CITY COUNCIL RESOLUTION NO. 73-856 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(117)".

WHEREAS, the City Council, by Ordinance No. 1294-C. S., introduced on October 9, 1973, finally adopted on October 25, 1973, and which became effective on November 24, 1973, amended Section 15-3-9 of the Zoning Map of the City of Modesto to reclassify from One Family Residential Zone, R-1, to Planned Development Zone, P-D(117), property located on the north side of Floyd Avenue, east of Coffee Road, to allow sixteen one-story six-plexes for a total of 96 dwelling units, a swimming pool, a minimum of 144 off-street parking spaces, and recreation and laundry facilities, and

WHEREAS, City Council Resolution No. 73-856 was adopted on October 9, 1973, and approved the development plan for P-D(117) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(117) was filed by Rule Development on June 22, 1979, to amend Planned Development Zone, P-D(117) to allow conversion of an existing 96 unit, 1-story apartment complex to condominiums on the property located on the north side of Floyd Avenue, east of Coffee Road, described as follows:

ALL that portion of Section 15, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northeast corner of COFFEE PLAZA NO. 4, as per Map filed in Volume 23 of Maps, Page 36, Stanislaus County Records; thence along the South line of the Sylvan School property North 89°36'50" East, 500.00 feet; thence South 0°58'25" East 659.90 feet to the center line of Floyd Avenue; thence along said center line South 89°38'35" West, 465.00 feet to the Southerly extension of the East line of Parcel 1 of Book 17 of Parcel Maps, Page 12, Stanislaus County Records; thence along said Southerly extension and said East line of Parcel 1, North 0°58'25" West 439.84 feet; thence along the North line of said Parcel 1, South 89°38'35" West, 35.00 feet to the East line of said COFFEE PLAZA NO. 4; thence along said East line of COFFEE PLAZA NO. 4, North 0°58'25" West 219.81 feet to the point of beginning.

and

WHEREAS, said application was set for a public hearing before the Planning Commission on July 16, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-203, found and determined that an amendment to P-D(117) to allow conversion of an existing 96 unit, 1-story apartment complex to condominiums is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will allow ownership of individual units rather than only rental occupancy of the complex which has been developed as previously approved.

2. The conditions of approval will assure that the development will be reconstructed and maintained to the best interests of the general public as well as the individual property owners,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on August 28, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to allow conversion of an existing 96 unit, 1-story apartment complex to condominiums in Planned Development Zone, P-D(117) is required by public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(117),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 73-856 entitled "A Resolution Approving A Development Plan For Planned Development Zone, P-D(117)" are hereby amended to read as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(117), is hereby approved in accordance with the plan titled "96 Unit Apartment Complex - Rule Development" as amended in red, stamped approved by the Planning Commission on July 16, 1979, and on file in the office of the Planning and Community Development Department, subject to the following conditions

1. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for review and approval by the Directors of Parks and Recreation and Planning, and the Planning Commission. Irrigation shall be by underground sprinkler system.

2. That all parking and driveway areas be improved in accordance with provisions of Sections 10-2.1801, and 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

3. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

4. That the entire development be served with strom drainage facilities in accordance with the requirements of the Director of Public Works.

5. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

6. That any signs within the entire P-D Zone shall comply with the R-2 Zone sign provisions.

7. That all landscaping, fences, and walls be maintained and that the premises be kept free of weeds, trash, and other debris.

8. That prior to the issuance of a building permit, the developer will submit to the Fire Chief and Director of Public Works, for their approval, a plan showing the proposed location of three on-site fire hydrants.

9. That the developer shall construct street improvements on Floyd Avenue to City collector street standards.

10. That prior to the issuance of a building permit the developer shall pay the City of Modesto the cost of planting eleven (11) street trees.

11. That all public improvements, including fire hydrants, shall be installed prior to occupancy of the premises or by July 1, 1976, whichever occurs first.

12. Prior to the issuance of a building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee installation of public improvements, including fire hydrants, by July 1, 1976, or prior to occupancy, whichever occurs first.

13. That all development shall conform to the above referred to plan which is on file in the office of the Planning and Community Development Department.

14. That prior to sale of any condominiums, a subdivision map shall be recorded.

15. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

16. That prior to sale of any condominium units the developer shall obtain certification from the Chief Building Official that all construction conforms to all applicable standards administered by Chief Building Official.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(117)

The entire construction program shall be accomplished in one phase, construction to begin on or before June 1, 1981, and completion to be not later than January 1, 1983.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 73-856 approved by the Council on October 9, 1973, shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(117).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Donald
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-889

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (241).

WHEREAS, a verified application for an amendment to Section 17-3-9 of the Zoning Map was filed by Rule Development on June 26, 1979, to reclassify from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D, the following described property:

ALL that certain real property situate in a portion of the Southeast quarter of Section 17, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows;

BEGINNING at the Northeast corner of Lot 3 of Block 6192 of CAMPOS VERDES, as shown on the map filed in Volume 21 of Maps at Page 54, Stanislaus County Records; thence North 89°26' East, along the Southerly right-of-way line of Briggsmore Avenue, a distance of 333.94 feet; thence South 0°49'09" East 123.72 feet to a point on the Northerly right-of-way line of Gayle Avenue and the point of beginning of a tangent curve being concave to the Northeast, from which a radial line bears North 0°55'01" East; thence Northwesterly along said curve, a distance of 13.62 feet, having a radius of 15.00 feet, and a central angle of 52°01'13" to a point of reverse of curve, being concave to the West; thence Westerly, Southerly and Easterly along said curve, a distance of 247.87 feet, having a radius of 50.00 feet, and a central angle of 287°02'26" to a point of reverse curve, being concave to the Southeast; thence Northeasterly along said curve, a distance of 13.62 feet, having a radius of 15.00 feet, and a central angle of 52°01'13" to a tangent line; thence South 89°04'59" East, 1.52 feet; thence South 0°49'09" East, 243.43 feet; thence North 88°46'46" West, 333.37 feet to the East line of abovereferenced "Campos Verdes"; thence North 0°55'45" West, 406.86 feet along said East line to the point of beginning.

Including also all of Gayle Avenue immediately adjacent to the above described property.
INCLUDING ALSO all that portion of property situated between the center of Modesto Irrigation District Lateral No. 3 and the North line of the above described property.

WHEREAS, after public hearing held on July 16, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will allow ownership of individual units rather than only rental occupancy of the complex which has been developed as previously approved.

2. The conditions of approval will assure that the development will be reconstructed and maintained to the best interests of the general public as well as the individual property owners.

WHEREAS, after a public hearing held on August 28, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Rule Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the 28th day of August, 1979, reclassifying the above-described property from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D (241).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (241), is hereby approved in accordance with the plan title "Vespro-Rule Luxury Apartments", as amended in red on its face, stamped approved by the Planning Commission on July 16, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to sale of any condominiums a subdivision map shall be recorded.

3. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities and private property in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

4. That prior to the sale of any condominium units, the developer shall obtain certification from the Chief Building Official that all construction conforms to all applicable standards administered by the Chief Building Official.

5. That all conditions set forth in Planning Commission Resolution No. 77-91 not in conflict with the above shall remain in full force and effect.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (241):

The entire construction program be accomplished in one phase, construction to begin on or before January 15, 1981, and completion to be not later than January 15, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (241) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brinkley
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-890

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (RULE DEVELOPMENT)

WHEREAS, on August 28, 19 79, the City Council introduced Ordinance No. _____ giving approval to a project relating to an amendment to Section Map 17-3-9 of the Zoning Map to reclassify certain property from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D(241) _____, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 17-3-9 of the Zoning Map to reclassify certain property from Medium Density Residential Zone, R-2 to Planned-Development Zone, P-D(241) _____.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-891

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (239).

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by Gilmore & Simvoulakis on June 15, 19 79, to reclassify from High Density Residential Zone, R-3 to Planned-Development Zone, P-D, the following described property:

Lots 25, 26, 27, 28, 29, 30, 31 and 32 in Block 128 of the City of Modesto, according to the Official Map thereof, filed in the office of the Recorder of Stanislaus County, California, on December 21, 1942, in Volume 15 of Maps.

Including also the northeasterly 40 feet of 16th Street and the southwesterly 10 feet of 20 foot alley in said Block 128, all being immediately adjacent to said Lots 25, 26, 27, 28, 29, 30, 31 and 32.

Including also the southeasterly 40 feet of "G" Street immediately adjacent to the above property.

WHEREAS, after public hearing held on July 16, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The location of the proposed medical office building is adjacent to City Hospital and such buildings are an integral and supportive part of hospital development.

2. The P-D zone and conditions of approval insure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on August 28, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Gilmore & Simvoulakis for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1875-C.S. on the 28th day of August, 1979, reclassifying the above-described property from High Density Residential Zone, R-3 to Planned-Development Zone, P-D (239).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (239), is hereby approved in accordance with the plan titled "Medical Office Building, Modesto, California", as amended in red on its face, stamped approved by the Planning Commission on July 16, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That any street improvements removed shall be replaced to City of Modesto Standards.

5. That prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and in accordance with the requirements of the Director of Public Works.

6. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

7. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

10. That all signs shall comply with the sign requirements of the P-O Zone.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (239):

The entire construction program be accomplished in one phase, construction to begin on or before September 1, 1981, and completion to be not later than September 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (239) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Brinks
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-892

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (GILMORE & SIMVOULAKIS)

WHEREAS, on August 28, 19 79, the City Council introduced Ordinance No. 1875-C.S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map to reclassify certain property from High Density Residential Zone, R-3, to Planned-Development Zone, P-D(239), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map to reclassify certain property from High Density Residential Zone, R-3, to Planned-Development Zone, P-D(239).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kulljian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kulljian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-893

A RESOLUTION APPROVING THE FINAL MAP OF THE NORMANDY PARK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Land Resource Development Corporation, a California corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 4.352 acres, known as the Normandy Park Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 4th day of June, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Normandy Park Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN I. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-894

A RESOLUTION APPROVING THE FINAL MAP OF THE PINE TREE VILLAGE UNIT 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, James Horn Construction Company, a California corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 38.495 acres, known as the Pine Tree Village Unit 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 5th day of July, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Pine Tree Village Unit 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-895

A RESOLUTION APPROVING THE FINAL MAP OF THE DUTCHOLLOW ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Paul M. Zagaris and Liberty M. Zagaris, husband and wife

(are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 9.717 acres, known as the Dutchollow Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 21st day of May, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Dutchollow Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-896

A RESOLUTION APPROVING THE FINAL MAP OF THE WOODLAND ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Guarantee Savings and Loan Association, a corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 41.512 acres, known as the Woodland Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 2nd day of January, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Woodland Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-897

A RESOLUTION ACCEPTING IMPROVEMENTS IN WESSON ESTATES NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Lance E. and Carol L. Ellis , subdividers of Wesson Estates No. 3 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 285,000 and $ 142,500 respectively to guarantee improvements in Wesson Estates No. 3 ; and

WHEREAS, the Director of Public Works in a memorandum dated August 20, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Wesson Estates No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 285,000.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $142,500.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August , 1979 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-898

A RESOLUTION ACCEPTING IMPROVEMENTS IN SCENIC COURT ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Robert Ford and Associates, Inc. , subdividers of Scenic Court Estates Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 64,300 and $ 32,150 respectively to guarantee improvements in Scenic Court Estates ; and

WHEREAS, the Director of Public Works in a memorandum dated August 20, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Scenic Court Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 64,300.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 32,150.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August , 19 79 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-899

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ARNOLD C. AND HELEN J. DICKENS FOR ALTERATION OF AN IRRIGATION SYSTEM ON A PORTION OF FUTURE DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Arnold C. and Helen J. Dickens **for** alteration of an irrigation system on a portion of future Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th **day of** August, **19**79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-900

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN CIPPONERI, GRACE LACOMMARE, JOSEPH CIPPONERI, BENEDICT CIPPONERI, MARY RANDY AND VINCENT CIPPONERI FOR THE DONATION OF RIGHT OF WAY NEEDED FOR THE ORANGEBURG/COLLIER TO COFFEE PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John Cipponeri, Grace Lacommare, Joseph Cipponeri, Benedict Cipponeri, Mary Randy and Vincent Cipponeri for the donation of right of way needed for the Orangeburg/Collier to Coffee project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 901

A RESOLUTION APPROVING THE AGREEMENT BETWEEN THE CITY OF MODESTO AND REID C. AND CAROL V. COCHRAN FOR THE PURCHASE OF RIGHT OF WAY NEEDED FOR SUNRISE AVENUE - LUCERN TO NORWEGIAN PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Reid C. and Carol V. Cochran for the purchase of right of way needed for Sunrise Avenue - Lucern to Norwegian project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-902

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN APPLICATION TO THE FEDERAL AVIATION ADMINISTRATION (FAA) TO CONSTRUCT A GENERAL AVIATION ACCESS ROAD

WHEREAS, on April 10, 1979, the City Council authorized the staff to submit a pre-application for federal funding to the Federal Aviation Administration (FAA) to construct a general aviation access road; and

WHEREAS, the staff has estimated the project cost to be $94,025, with funding from FAA to be (80%) $75,775, and a local contribution of (20%) $18,250 shared equally between the City and County.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the submission of an application to the Federal Aviation Administration (FAA) in the amount of $75,775, to construct a general aviation access road connecting the general aviation facilities with a more direct access to Yosemite Boulevard is hereby approved.

BE IT FURTHER RESOLVED that the execution of the application by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28th day of August, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-903

RE
A RESOLUTION /APPOINTING MEMBER OF THE PERSONNEL COMMISSION (LEVIO GHILOTTI)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

re
SECTION 1. The following person is hereby/appointed to the Personnel Commission for the respective term as indicated:

Levio G. Ghilotti
1916 Devonshire Avenue
Modesto, Ca. 95355
Term to expire 1/1/83

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Personnel Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 28 th day of August, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adcpted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-904

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REPIPING OF LIFT STATION AT CARVER AND SCOTT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for repiping of Lift Station at Carver and Scott Roads **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-905

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF PUMP STATION NO. 41

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of Pump Station No. 41 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-906

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR RESIDENTIAL ALLEY RECONSTRUCTION - PROJECT NO. 7

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for residential alley reconstruction - Project No. 7 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 18, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-907

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $29,000 FROM THE GENERAL RESERVE TO COVER ADDITIONAL COSTS OF ALLEY RECONSTRUCTION

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (Acct. 60-800-321)	$29,000
TO:	Alley Improvements (Acct. 6301-410-321)	$29,000

To cover cost of additional alley to be reconstructed (Project 7) as requested by the property owners.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-908

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF RESTROOM BUILDING AT SYLVAN PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of restroom building at Sylvan Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-909

A RESOLUTION ACCEPTING THE BID OF KIRKES ELECTRIC, INC. FOR THE REVARD PARK LIGHTING

WHEREAS, Resolution No. 79-784, adopted by the Council of the City of Modesto on August 7, 1979 , approved the plans and specifications for the Revard Park lighting and authorized the calling for bids; and

WHEREAS, the bids received for the Revard Park lighting were opened at 11:10 a.m. on August 28, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Kirkes Electric, Inc. in the amount of $6,737.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Kirkes Electric, Inc. in the amount of $6,737.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September , 1979 , by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-910

A RESOLUTION ACCEPTING THE BID OF CHARLES E. LEE, DBA ARISTOCRAT INTERIORS FOR GOLF COURSE CLUBHOUSE CARPETING

WHEREAS, Resolution No.79-783, adopted by the Council of the City of Modesto on August 7, 1979 , approved the plans and specifications for the golf course clubhouse carpeting

and authorized the calling for bids; and

WHEREAS, the bids received for the golf course clubhouse carpeting

were opened at 11:05 a.m. on August 28, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Charles E. Lee, dba Aristocrat Interiors in the amount of $5,380.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Charles E. Lee, dba Aristocrat Interiors in the amount of $5,380.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979 , by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-911

A RESOLUTION ACCEPTING THE CONSTRUCTION OF PUMP STATION NO. 43 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of Pump Station No. 43

has been completed by Howk Well and Equipment Company

in accordance with the contract agreement dated November 13, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of Pump Station No. 43

be accepted from said contractor, Howk Well and Equipment Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $73,103.90 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-912

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STREETS, CURB AND GUTTER AT STOCKARD-COFFEE AND LAKEWOOD PARKS AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of streets, curb and gutter at Stockard-Coffee and Lakewood Parks has been completed by Morrow and Waggoner

in accordance with the contract agreement dated June 12, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of streets, curb and gutter at Stockard-Coffee and Lakewood Parks be accepted from said contractor, Morrow and Waggoner;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $47,745.06 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-913

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSIONS ON WOODLAND AVENUE, LILLIAN AVENUE, AND AT SNYDER AND PRESCOTT AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extensions on Woodland Avenue, Lillian Avenue, and at Snyder and Prescott Roads has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated January 16, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extensions on Woodland Avenue, Lillian Avenue, and at Snyder and Prescott Roads be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $54,498.90 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-914

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $48,000 FROM GENERAL RESERVE FOR REPOWERING 4 BUSES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 350)	$48,000
TO:	P/W Bus Maintenance Repowering 4 Buses (5621 490 350)	$48,000

Provide for new engines and transmissions in four of the City buses.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-915

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH DOW HAMMON COMPANY FOR THE PURCHASE OF 4 DETROIT DIESEL ENGINES AND 4 ALLISON TRANSMISSIONS

WHEREAS, by Resolution No. 79-338, the City Council waived formal bid procedures and authorized the purchase of 4 Detroit diesel engines and 4 Allison transmissions from Williams and Lane Company; and

WHEREAS, the Williams and Lane Company has advised that due to demand and labor problems it may be up to a year before the engines will be available, necessitating an attempt to find another source for the engine purchase; and

WHEREAS, Dow Hammond Company has located 4 Detroit diesel engines and 4 Allison transmissions, available for purchase now.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of 4 Detroit diesel engines and 4 Allison transmissions is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Dow Hammond Company for the purchase of 4 Detroit diesel engines and 4 Allison transmissions for a total cost of $37,112.72.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-916

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (LINCOLN-PENNY NO. 2 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 24, 1979, duly adopted Resolution No. 79-768 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, September 4, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

wpc

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 210, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

LINCOLN-PENNY NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 26, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northeastern line of the SCENIC BEND ADDITION (359), as per description filed August 31, 1977, as Instrument 15057, Stanislaus County Records;

1. thence North 63° 33' 00" East, 143.43 feet;

2. thence continuing along the existing City Limits along said ADDITION (359), North 31° 21' 30" East, 97.38 feet to a Northwest corner of the LINCOLN NO. 3 ADDITION (340), as per description filed February 3, 1976, as Instrument 35053, Stanislaus County Records;

3. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), North 89° 57' 07" East, 332.84 feet;

4. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 22° 10' 00" West, 73.79 feet;

5. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 26° 31' 00" West, 176.78 feet;

6. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 35° 58' 00" West, 55.13 feet;

7. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 68° 13' 00" East, 176.46 feet;

8. thence continuing along the existing City Limits along a Western line of said ADDITION (340), South 00° 33' 30" East, 170.00 feet, to the center line of Lincoln Avenue;

9. thence continuing along the existing City Limits along a Southern line of said ADDITION (340), and the center line of Lincoln Avenue, North 89° 57' 30" East, 646.57 feet, to a Western line of the DRY CREEK PARK NO. 2 ADDITION (293), as per description filed June 30, 1972, as Instrument 26860, Stanislaus County Recrods, said point being on the East line of Section 26;

10. thence continuing along the existing City Limits, the center line of Lincoln Avenue, a Western line of said ADDITION (293), and the East line of Section 26, South 00° 33' 30" East, 588.10 feet;

11. thence continuing along the existing City Limits and a Northern line of said ADDITION (293), South 65° 09' 31" West, 14.68 feet, to the West line of Lincoln Avenue;

12. thence continuing along the existing City Limits and a Western line of said ADDITION (293), and the West line of Lincoln Avenue, South 09° 13' 26" East, 88.78 feet, to the East line of Section 26;

13. thence continuing along the existing City Limits, a Western line of said ADDITION (293), the West line of Lincoln Avenue and the East line of Section 26, South 00° 33' 30" East, 1379.55 feet to the East quarter corner of Section 26 and the Northeast corner of the LINCOLN NO. 1 ADDITION (282), as per description filed March 24, 1972, as Instrument 11421, Stanislaus County Records;

14. thence continuing along the existing City Limits, the Northern line of said ADDITION (282), and the quarter section line, North 89° 57' 33" West, 985.32 feet, to a point on the Eastern line of the RIVERSIDE NO. 2 ADDITION (234), as per description filed June 12, 1969, as Instrument 20321, Stanislaus County Records;

15. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), North 00° 32' 50" West, 549.01 feet, to a point on a curve concave to the Southwest, having a radius of 500.00 feet, and a central angle of 20° 27' 21";

16. thence continuing along the existing City Limits and the Eastern line of said ADDITION (234), Northwesterly on the Arc of the curve a distance of 178.51 feet, to the Southern line of the Modesto Irrigation District Lateral No. 2;

17. thence continuing along the existing City Limits and the Northern line of said ADDITION (234), and the Southern line of said Lateral, South 68° 59' 49" West, 316.90 feet, to the quarter quarter section line of Section 26;

18. thence leaving the existing City Limits and continuing along said quarter quarter Section line, North 00° 32' 58" West, 1646.61 feet;

19. thence along the existing City Limits along said ADDITION (359), and the center line of Dry Creek, North 38° 39' 00" East, 208.85 feet, to the point of beginning, containing 63.154 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on September 4, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Elliott, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: September 4, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Lincoln-Penny #2 Addition

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-917

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SNYDER AVENUE NO. 2 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on July 24, 19 79, duly adopted Resolution No. 79-769 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, September 4, 19 79, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 211, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

130/000-00160-01/15/79

April 20, 1979

SNYDER AVENUE NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-SNYDER ADDITION (360), as per description filed Spetember 20, 1977, as Instrument 18800, Stanislaus County Records, said point being on the North line of Section 12 and the center line of 40.00 foot Snyder Avenue;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (360), South 00° 04' 02" East, 1654.86 feet, to a point on the North line of the VENEMAN NO. 2 ADDITION (375), as per description filed June 27, 1978, as Instrument 82426, Stanislaus County Records;

2. thence continuing along the existing City Limits and the Northern line of said ADDITION (375), South 89° 37' 06" West, 2122.99 feet, to the Southeastern corner of the SNYDER AVENUE ANNEXATION (384), as per description filed October 2, 1978, as Instrument 21313, Stanislaus County Records;

3. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 516.28 feet;

4. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 10° 38' 34" East, 152.43 feet;

5. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 18° 19' 54" East, 177.58 feet;

6. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 13° 54' 50" East, 98.71 feet;

7. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 08° 54' 28" East, 98.71 feet;

8. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 04° 05' 40" East, 98.72 feet;

9. thence continuing along the existing City Limits and the Eastern line of said ADDITION (384), North 00° 00' 24" East, 530.01 feet, to the North line of Section 12';

10. thence leaving the existing City Limits and continuing along the North line of Section 12, North 89° 36' 33" East, 1990.85 feet, to the point of beginning, containing 78.028 Acres, more or less.

CLERK'S CERTIFICATE

I, Norrine Coyle, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on September 4, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Lang, seconded by Councilmember Siefkin, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: September 4, 1979

Norrine Coyle
City Clerk of the City of
Modesto, California

(SEAL)

Snyder Avenue No. 2 Addition

MODESTO CITY COUNCIL
RESOLUTION NO. 79-918

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR THE NORTHWEST MC HENRY NEIGHBORHOOD PARK (C.L.S. INVESTMENTS)

(Name of Project and Property Owners Name)

WHEREAS, on August 7, 19 79, the Council of the City of Modesto by Resolution No. 79-819 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on September 4, 1979, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of development of the Northwest McHenry Neighborhood Park,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351 and 40404(f) of the Government Code, by Sections 5301, 5302 and 5303 of the Public Resources Code, and by Section 1240.510 of the Code of Civil Procedure of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The real property which is hereinafter described consists of a rectangular parcel measuring approximately 152 feet by 449.68 feet, and consisting of 1.57 acres, more or less, located north of Standiford Avenue, south of the Hetch Hetchy right-of-way, and west of the Tidewater Southern Railroad tracks, in the City of Modesto, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and within the City of Modesto, State of California, more particularly described as follows:

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest Quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Commencing at the Northwest corner of said Section 8; thence along a section line common to Section 7 and Section 8, Township 3 South, Range 9 East, also being the centerline of Tully Road, South 1° 14' 15" East, 700.57 feet; thence South 89° 39' 40" East, 1898.09 feet, to the true point of beginning of this description; thence continuing South 89° 39' 40" East, 152.87 feet; thence South 1° 13' 46" East, 449.69 feet, to the centerline of West Union Avenue; thence North 89° 39' 30" West, along the centerline of said West Union Avenue, 152.90 feet; thence North 1° 13' 33" West, 449.68 feet, to the point of beginning.

Containing 68,725 square feet, more or less.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Siefkin, who moved it adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-919

A RESOLUTION AMENDING SECTIONS 1A AND 2 OF MODESTO CITY COUNCIL RESOLUTION NO. 77-908 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(166)" AS AMENDED BY MODESTO CITY COUNCIL RESOLUTION NO. 79-156.

WHEREAS, the City Council, by Ordinance No. 1643-C. S., which was finally adopted on September 19, 1977, and which became effective on October 19, 1977, amended Section 11-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(166),property located on the east side of Sisk Road northwest of Standiford Avenue in the City of Modesto for construction of a motel/restaurant, a commercial structure and a multiple family residential complex, and

WHEREAS, City Council Resolution No. 77-908 approved the development plan for P-D(166) and contained conditions of approval thereof, and

WHEREAS, Ordinance No. 1774-C. S. and Resolution No. 78-788 adopted by the City Council on September 18, 1978, rezoned the commercial structure portion of P-D(166) to P-D(200), and

WHEREAS, City Council Resolution No. 79-156 adopted on February 20, 1979, amended Section 1 of Resolution No. 77-908 entitled "A Resolution Approving A Development Plan for Planned Development Zone, P-D(166)" And Added Section 1A Thereto, and

WHEREAS, on June 25, 1979, Cal Rossi Company, Ltd. filed a verified application for an amendment to Planned Development Zone, P-D(166) to allow 208 condominium units instead of apartments, as previously approved, on the property which is located on the northeast side of Sisk Road, north of Beckwith Road, described as follows:

ALL that certain real property situate in a portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEING all of "Parcels B and D and all of Vintage Drive" as shown upon that certain map filed in Volumne 28 of Parcel Maps, at Page 7, Stanislaus County Records and being more particularly described as follows:

BEGINNING at the most Easterly corner of said Parcel B, as shown on said Map; thence South 14°44'06" West along the Easterly line of said Parcel B, a distance of 220.00 feet; thence North 89°34'00" West along the South line of said Parcel B, a distance of 491.47' to a point of cusp and the general Northerly line of Sullivan Court, as shown on said Map; thence from said point of cusp along a non-tangent curve to the left, a radial line of said curve through said point bearing South 74°44'20" West, having a radius of 50.00 feet, through a central angle of 155°38'19", an arc distance of 135.82 feet to a point of cusp, said point bearing South 80°53'59" East, thence from said point of cusp North 42°47'39" West along the Southwesterly line of said Parcel B, a distance of 801.73 feet, to the intersection with the Southeasterly line of Vintage Drive, as shown on said Map; thence South 44°58'08" West along said Southeasterly line, a distance of 128.10 feet; thence continuing along said Southeasterly line South 47° 12'21" West 185.00 feet; thence along a tangent curve to the left, having a radius of 15.00 feet, through a central angle of 90°00'00", an arc distance of 23.56 feet to the intersection with the Northeasterly line of Sisk Road, as shown on said Map; thence North 42°47'39" West along said Northeasterly line and along the Southwesterly line of said Parcel D, a distance of 634.72 feet to the most Westerly corner of said Parcel D, thence South 89°34'40" East along the North line of said Parcel D, a distance of 1317.89 feet to the intersection with the Northerly prolongation of the East line of said Parcel B, as shown on said Map; thence South 0°00'43" West along said Northerly prolonged line and along said East line of Parcel B, a distance of 599.95 feet; thence South 89°33'57" East along the North line of said Parcel B a distance of 499.82 feet; thence continuing along said North line of said Parcel B, North 89°44'46" East, 40.65 feet to the point of beginning.

Containing 15.178 Acres of land.

and

WHEREAS, said application was set for public hearing before the Planning Commission on July 16, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said meeting, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-205, found and determined that an amendment to allow 208 condominium units instead of apartments in Planned Development Zone, P-D(166) as requested is required by public necessity, convenience, and general welfare and recommended said amendment to the City Council for the following reasons:

1. The amendment to P-D(166) will allow sale of individual dwellings in a project which has already been approved by the Planning Commission and City Council for a rental development only.

2. The conditions of approval will assure that the development will be constructed and maintained to the best interests of the general public as well as the individual property owners, and

WHEREAS, said matter was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4 o'clock p.m. on September 4, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to allow 208 condominium units instead of apartments in Planned Development Zone, P-D(166) is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 79-205 and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned-Development Zone, P-D(166),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1A and 2 of Modesto City Council Resolution No. 77-908 entitled "A Resolution Approving A Development Plan For Planned-Development Zone, P-D(166)," as amended by Modesto City Council Resolution No. 79-156, are hereby amended to read as follows:

SECTION 1A. DEVELOPMENT PLAN. The development plan for amended Planned-Development Zone, P-D(166), is hereby approved in accordance with the plot plan titled "The Orchards - Site Development Plan", as amended in red, stamped approved by the Planning Commission on July 16, 1979, and on file in the Planning and Community Development Department, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system.

3. That the applicant shall install 7 fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to issuance of a building permit for any structures.

4. That prior to sale of any condominiums, a subdivision map shall be recorded.

5. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

6. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

7. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

8. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

9. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings as determined by the Director of Planning and Community Development.

10. That the entire east and north property lines adjacent to residentially zoned property shall be developed with a 6-foot high masonry pilaster and board or masonry pilaster and grapestake fence meeting the standards of the City's adopted Wall and Fence Standards.

11. That upon demand by the City, the developer shall dedicate an additional 12 feet of street right-of-way to complete Sisk Road to a major street standard.

12. That the developer shall improve Sisk Road to major street standards in accordance with the requirements of the Director of Public Works.

13. That the northerly public street be dedicated and improved to City standards as a 60-foot wide collector street except that the westerly 300 feet of this street shall be dedicated and improved to a 70-foot width to allow for a left turn lane.

14. That public utility easements as required by the utility companies serving the development shall be dedicated.

15. That street barricades shall be constructed by the developer at the end of all dead-end streets as required by the City Engineer pursuant to improvement plans.

16. That sanitary sewer extension plans to serve the project shall be prepared by the developer's engineer and shall be in accordance with the specifications of the City Engineer.

17. That one freestanding identification sign a maximum of 28 feet high and 150 square feet in area shall be permitted to identify the motel-restaurant complex. All other signs within the commercial and motel-restaurant portion of the project shall comply with the H-1 zone sign regulations. Any signs proposed for the residential portion of the project shall comply with the sign regulations of the R-2 zone.

18. That in order to provide for adequate fire suppression support for the two fourplex single-story residential structures along the north property line, which structures are more than 150 feet from a paved street or accessway, the developer shall accomplish either of the following:

    a. Provide standard automatic fire extinguishing systems in said two structures in accordance with the requirements of the Fire Chief; or

    b. Provide a hard surface fire access lane meeting the requirements of the Fire Chief to give adequate fire department access to the above two fourplex structures.

19. That prior to the issuance of a building permit, the developer shall submit street improvement plans prepared by a registered Civil Engineer for approval by the City Engineer.

20. That prior to the issuance of a building permit for any development, the developer shall pay to the City of Modesto the cost of planting street trees every 40 feet along the public streets, the total number to be determined by the Director of Public Works.

21. That all public improvements shall be installed prior to occupancy of the premises or by October 1, 1980, whichever occurs first.

22. That in the residential portion of the project, all utilities shall be underground including T.V. reception facilities. No antennas shall be permitted.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(166):

That the entire construction program be accomplished in three phases as follows:

Phase I- to include the motel-restaurant complex; start of construction to be on or before October 1, 1979, and completion to be not later than October 1, 1980.

Phase II- to include the two-story residential portion; start of construction to be on or before January 1, 1981, and completion to be not later than October 1, 1983.

Phase III- to include the one-story residential portion, start of construction to be on or before January 1, 1983, and completion to be not later than January 1, 1985.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolutions No. 77-908 and 79-156 approved by the Council on September 6, 1977, and February 20, 1979, respectively, shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(166).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin and Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-920

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (240).

WHEREAS, a verified application for an amendment to Section 11-3-8 of the Zoning Map was filed by Joaquin Construction on June 15, 19 79, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All of that portion of Section 11, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

All of Parcel 4, the Easterly one-half of Honey Creek Road and all that portion of Dale Road situated between the centerline of Dale Road and the East line of Parcel 4, all being shown on the map filed in Volume 28 of Parcel Maps at Page 22, in the Stanislaus County Records.

Excepting therefrom the Northwesterly portion of the above described property measuring 462 feet Easterly from the West line and 434 feet Southerly from the North line.

WHEREAS, after public hearing held on July 16, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed density conforms to the Pelandale Neighborhood Zoning and Development Plan.
2. The P-D zone and conditions of approval insure a degree of compatibility consonant with the surrounding properties.

WHEREAS, after a public hearing held on September 4, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Joaquin Construction for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1877-C.S. on the 4 day of September, 19 79, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (240).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (240), is hereby approved in accordance with the plan titled "Woodglen Park No. 3" _____, as amended in red on its face, stamped approved by the Planning Commission on July 16, 1979, and the City Council on September 4, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan for the condominium site shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the west and south property lines.

3. That prior to occupancy of the patio home area, a six-foot high solid decorative masonry wall shall be constructed along the north end of Peacock Court.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That all private streets and parking areas in the condominium area shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. That all other parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

7. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

8. That all trash in the condominium area shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That building plans for the patio homes shall indicate a standard detail for adequate storage for garbage. Said storage areas shall be screened from view from any public street and shall be subject to approval by the Director of Planning and Community Development. Each dwelling shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development.

10. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

11. That all signs shall comply with the sign requirements of the R-2 (condominium) and R-1 (patio homes) Zones.

12. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

13. That all curbcuts serving two-way driveways in the condominium area shall be widened to 35 feet in width.

14. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (240):

The construction program be accomplished in two phases as follows:

Phase I to include all 70 patio homes with construction to begin on or before January 1, 1981 and be completed by January 1, 1982.

Phase II to include all 81 condominium dwelling units with construction to begin on or before January 1, 1982 and be completed by January 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (240) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William F. Nichols
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-921

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 11-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOAQUIN CONSTRUCTION)

WHEREAS, on September 4, 19 79, the City Council introduced Ordinance No. 1877 -C.S. giving approval to a project relating to an amendment to Section Map 11-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(240), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 11-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(240).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-922

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (R. T. HUGHES COMPANY)

WHEREAS, on September 4, 19 79, the City Council introduced Ordinance No. 1878-C.S. giving approval to a project relating to an amendment to Section Map 12-3-8 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 12-3-8 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-923

A RESOLUTION PERMITTING A CURB CUT/DRIVEWAY FROM PLANNED DEVELOPMENT ZONE, P-D(155) TO THE DALE ROAD-STANDIFORD AVENUE INTERSECTION.

WHEREAS, by Ordinance No. 1603-C. S. which was introduced on March 21, 1977, finally adopted on March 28, 1977, and effective on April 17, 1977, this Council rezoned to Planned-Development Zone, P-D(155), property located at the southeast corner of Standiford Avenue and Sisk Road, to permit the develment of a community shopping center, and

WHEREAS, by Resolution No. 77-306, adopted on March 21, 1977, this Council approved the Development Plan for Planned Development Zone, P-D(155), subject to certain conditions set forth therein, and

WHEREAS, Condition No. 22 reads as follows:

> "22. That the location of any curb cuts on Standiford Avenue be as determined by the Director of Parking and Traffic. If a curb cut is permitted to be placed at the intersection of Dale Road and Standiford Avenue, the developer shall pay to the City of Modesto the cost of modification of the traffic signal at this intersection to allow the signal to serve the proposed shopping center.",

and

WHEREAS, by letter dated August 6, 1979, the Director of Parking and Traffic denied the request of Longs Drug Stores, the developer of Planned Development Zone, P-D(155), to permit a curb cut/driveway at the intersection of Dale Road and Standiford Avenue, and

WHEREAS, by letter dated August 14, 1979, Sanders Construction Co., Inc., on behalf of Longs Drug Stores, appealed said decision of the Director of Parking and Traffic to this Council, and

WHEREAS, said appeal was set for hearing on September 4, 1979, at 4:00 o'clock p. m. in the Council Chambers in the City Hall, 801 - 11th Street, Modesto,

California, and

WHEREAS, at said time and place a hearing was held and this Council found and determined that said appeal should be granted and the decision of the Director of Parking and Traffic overruled for the following reasons:

1. By the use of traffic islands and other traffic control devices, a curb cut/driveway can be located at the Dale Road-Standiford Avenue intersection without creating any traffic problems at said intersection.

2. A curb cut at the Dale Road-Standiford Avenue intersection is necessary to provide proper ingress and egress to Planned Development Zone, P-D(155),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal by Sanders Construction Co. Inc., on behalf of Longs Drug Stores, the developer of Planned Development Zone, P-D(155), to the decision of the Director of Parking and Traffic denying their request for permission to have a curb cut/driveway at the intersection of Dale Road and Standiford Avenue is hereby granted and the decision of the Director of Parking and Traffic is overruled for the reasons set forth above.

BE IT FURTHER RESOLVED that Longs Drug Stores, as the developers of Planned Development Zone, P-D(155), be permitted to have a curb cut/driveway from said Planned Development Zone, P-D(155), to the intersection of Dale Road and Standiford Avenue substantially as shown on that certain plan entitled "Proposed Driveway Design Standiford Avenue/Dale Road" by Donald Frischer and Associates, stamped approved by the City Council on September 4, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. The Director of Parking and Traffic is hereby authorized to make any modifications in said approved plan, including pedestrian crossings of said intersection, as may be necessary to insure that the installation of said curb cut/driveway does not create any traffic problems at said intersection.

2. The developers of Planned Development Zone, P-D(155) shall pay to the City of Modesto all of the costs incurred by the city for the modification of said intersection, including the traffic signal required by the installation of said curb cut/driveway.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang

NOES: Councilmembers: Muratore, Mayor Mensinger

ABSENT: Councilmembers: Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-924

A RESOLUTION ACCEPTING IMPROVEMENTS IN FONTANA PLAZA SUBDIVISION

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in Fontana Plaza Subdivision as complete and authorize the City Clerk to file a notice of completion.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Fontana Plaza Subdivision are hereby accepted.

2. The City Clerk is hereby authorized to file a notice of completion of said subdivision.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-925

A RESOLUTION APPROVING THE FINAL MAP OF THE FONTANA PLAZA SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Frank Fontana and Sarah Fontana, husband and wife, are possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 1.915 acres, known as the Fontana Plaza Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 19th day of July, 1977, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Fontana Plaza Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly

seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-926

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STANISLAUS COUNTY HOUSING AUTHORITY FOR PROVISION OF COUNSELING SERVICES PURSUANT TO OUR COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the Stanislaus County Housing Authority **for** provision of counseling services pursuant to our Community Development Block Grant Program **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** September, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-927

A RESOLUTION APPROVING THE REQUEST OF WALLPAPERS TO GO FOR REFUND FOR OVERPAYMENT OF THEIR BUSINESS LICENSE TAX IN THE AMOUNT OF $1,061.55

BE IT RESOLVED by the Council of the City of Modesto that the request of Wallpapers To Go, for refund of $1,061.55 for overpayment of business license tax for the quarter ending March 31, 1979, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-928

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

WHEREAS, the City Manager is authorized by Charter Section 801 to sell surplus personal property of the City of Modesto with the approval of the City Council, and

WHEREAS, a 1949 GMC bus, twenty-five police vehicles and eight garden refuse trucks have become surplus property as a result of new equipment purchases,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The City Manager is hereby authorized and directed to sell to the highest bidder the following items of personal property of the City of Modesto. Said personal property is hereby found to be surplus:

One 1949 GMC Bus identified as Equipment No. 20128.

Twenty-five police vehicles identified as follows:

Equipment No.	Equipment No.	Equipment No.	Equipment No.	Equipment No.
17701	17706	17711	17716	17721
17702	17707	17712	17717	17722
17703	17708	17713	17718	17723
17704	17709	17714	17719	17724
17705	17710	17715	17720	17629

Eight Garden Refuse Trucks identified as follows:

Equipment No.	Equipment No.	Equipment No.	Equipment No.
40244	40246	40248	40250
40245	40247	40249	40251

SECTION 2. The sales shall be conducted by the City Manager or by such person as he may select for this purpose. All items of property not sold as provided for above shall be disposed of in such manner as the City Manager deems to be in the best interest of the City.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-929

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND NICHOLOS E. AND ETHONE R. KOSHELL AND ACCEPTING GRANT DEED FOR THE PURCHASE OF 11 LOTS ALONG HATCH ROAD, EAST OF CARPENTER, NEEDED FOR TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mr. and Mrs. Nicholos E. Koshell, for the purchase of 11 lots along Hatch Road, east of Carpenter, needed for the Tuolumne River Regional Park is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-930

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND CANDACE KAY WARD AND ACCEPTING GRANT DEED FOR THE PURCHASE OF ONE LOT ALONG HATCH ROAD, EAST OF CARPENTER, NEEDED FOR TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Candace Kay Ward for the purchase of one lot along Hatch Road, east of Carpenter, needed for the Tuolumne River Regional Park is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-931

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND NICHOLAS RAYMOND KOSHELL AND ACCEPTING GRANT DEED FOR THE PURCHASE OF TWO LOTS ALONG HATCH ROAD, EAST OF CARPENTER, NEEDED FOR TOULUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Nicholas Raymond Koshell for the purchase of two lots along Hatch Road, east of Carpenter, needed for the Tuolumne River Regional Park is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-932

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(211) - NARAGHI FARMS

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(211) to permit higher density residential zoning and change project phasing, property located west of Oakdale Road between Floyd and Sylvan Avenue;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-224 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(211) of the Zoning Map be set for October 9, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-933

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP (FRANCIS FERO)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 28-3-9 of the Zoning Map, to rezone from R-3 to P-O property located at the easterly corner of 16th and F Streets

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-220 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 28-3-9 of the Zoning Map be set for October 9, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that certain real property situate in a portion of the Southwest quarter of Section 28, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying in Block "N" within the City of Modesto, County of Stanislaus, State of California, being more particularly described as follows:

BEGINNING at the intersection of the Southeast line of "F" Street (80 feet wide) with the Northeast line of "16th" Street (80 feet wide); thence North 46° 30' 30" East along said Southeast line of "F" Street a distance of 140.00 feet; thence at right angles, South 43° 29' 30" East along the Southwest line of a 20.00 foot wide alley, a distance of 50.00 feet; thence South 46° 30' 30" West along a line parallel with and distant 50.00 feet Southeasterly, measured at right angles, from said Southeast line of "F" Street a distance of 140.00 feet to the intersection with said Northeast line of "16" Street; thence North 43° 29' 30" West along said Northeast line of "16th" Street a distance of 50.00 feet to the point of beginning.

INCLUDING also the Southeasterly 40 feet of "F" Street and the Northeasterly 40 feet of "16th" Street all being immediately adjacent to the above described property.

SCHEDULE "A"

FRANCIS FERO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-934

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (JOAQUIN CONSTRUCTION COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from P-O to P-D(243) to allow two freestanding banks, savings and loan associations, or other financial institutions and professional office complex, property located on the east side of Dale Road, north of Veneman, the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-221 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for 4:00 p.m. on October 2, 1979, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September , 1979 , by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as shown on that certain parcel map filed for record on December 2, 1977, in Book 26 of Parcel Maps, Page 26, Stanislaus County records, and being a portion of the Northwest Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

Including also the Easterly 50 feet of Dale Road immediately adjacent to the above said Parcel B.

SCHEDULE "A"
JOAQUIN CONSTRUCTION CO.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-935

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 2-3-8 OF THE ZONING MAP (BURKE DEVELOPMENT COMPANY)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 2-3-8 of the Zoning Map to rezone from R-1 to P-D(245) to allow a 68-unit, two-story condominium, property located on the south side of Pelandale, east of honey Creek Drive, the following described property:

> The Westerly 300 feet of the North one-half of the Southeast one-quarter of the Southeast one-quarter of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-222 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 2-3-8 of the Zoning Map be set for October 2, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-936

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP (ARNOLD H. AND DIANNE BERBERIAN GAZARIAN)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map to rezone from C-1 to C-2, property located at the northeast corner of Chicago Avenue and Paradise Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-219 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for October 2, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Lot 5 of RE-SURVEY OF BRICHMAN'S ADDITION TO THE CITY OF MODESTO, as per Map filed October 15, 1904 in Vol. 2 of Maps, page 1, Stanislaus County Records, described as follows:

BEGINNING at a point on the South line of said Lot 5, said point of beginning lying South 89°44'30" West 466.96 feet from the Southeast corner of said Lot 5 and also being the Southeast corner of the property conveyed to Jennie Cowan by Deed dated November 23, 1927 and recorded December 8, 1927 in Vol. 251 of Official Records, page 159, as Instrument No. 15310; thence North 0°10' West along the East line of said Jennie Cowan property, 183.58 feet to a point on the Northwesterly line of said Lot 5; thence South 49°48'30" West along the Northwesterly line of said Lot 5 a distance of 286 feet to the Southwest corner of said Lot 5; thence North 89°44'30" East along the South line of said Lot 5 a distance of 219 feet to the point of beginning.

Including all of Chicago immediately adjacent to the above described property.

Also including all of that portion of Paradise Road situated between the centerline of said road and the Northwesterly line of the above described property.

SCHEDULE "A"
GAZARIAN

MODESTO CITY COUNCIL
RESOLUTION NO. 79-937

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP (TULLY-RUMBLE PARTNERSHIP)

WHEREAS, the Modesto City Planning Commission held a public hearing on August 20, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D(244), property located on the west side of Tully Road south of Morada Drive

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-223 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 7-3-9 of the Zoning Map be set for October 9, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All of Parcels A and B as shown on that certain Parcel Map filed May 8, 1968, in Volume 5 of Parcel Maps, at Page 66 in the Stanislaus County Records; and being a portion of the Southeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the Westerly 45 feet of Tully Road immediately adjacent to the above said Parcel A and B.

SCHEDULE "A"
TULLY-RUMBLE PARTNERSHIP

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 938

APPROVING THE APPLICATION FOR LAND AND WATER CONSERVATION FUNDS, IRRIGATION AND LANDSCAPING OF BEYER COMMUNITY PARK PROJECT.

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid Program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes, and

WHEREAS, the State Department of Parks and Recreation is responsible for the administration of the program within the State, setting up necessary rules and procedures governing application by local agencies under the program, and

WHEREAS, said adopted procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of applications and the availability of local matching funds prior to submission of said applications to the State, and

WHEREAS, Part V of said applications contains assurances that the applicant must comply with, and

WHEREAS, the proposed Irrigation and Landscaping of Beyer Community Park project is consistent with the California Outdoor Recreation Resources Plan, and

WHEREAS, the project must be compatible with the land use plans of those jurisdictions immediately surrounding the project,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby:

1. Approves the filing of an application for Land and Water Conservation Fund assistance, and

2. Certifies that said agency has matching funds from the following sources:

1979-80 Final Budget of the City of Modesto

Beyer Community Park Development Account:

Special Fund for Capital Outlay 6372-270-321 - $216,000;

Park Fund 6372-00-324 - $101,000

and can finance 100 percent of the project, half of which will be reimbursed, and

3. Certifies that the project is compatible with the land use plans of those jurisdictions immediately surrounding the project, and

4. Appoints the City Manager as agent of the City to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lane, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-939

A RESOLUTION APPOINTING RAY EWING FROM SEAT NO. 6 TO SEAT NO. 4 ON THE CITIZENS HOUSING AND COMMUNITY DEVELOPMENT COMMITTEE

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to Seat No. 4 from Seat No. 4 on the Citizens Housing and Community Development Committee for the respective term as indicated:

Ray Ewing
Term to expire 6/30/82

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Citizens Housing and Community Development Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-940

RE-
A RESOLUTION/APPOINTING MEMBERS OF THE YOUTH COMMISSION (JULIE CRAWFORD, ROSS LEE)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby re-appointed to the Youth Commission for the respective terms as indicated:

Julie Crawford - Term to expire 6/1/80

Ross Lee - Term to expire 6/1/80

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly re-appointed members of the Youth Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Lang, Siefkin

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-941

A RESOLUTION CANCELLING THE SPECIAL SEWER TRUNK EXTENSION ADVISORY ELECTION CALLED FOR NOVEMBER 6, 1979, AND RESCINDING RESOLUTIONS NO. 79-799, 79-800 AND 79-801.

WHEREAS, on August 7, 1979, this Council adopted Resolution No. 79-799 calling a Special Sewer Trunk Extension Advisory Election by the voters of the City of Modesto and Resolution No. 79-800 requesting the Board of Supervisors of Stanislaus County to provide for consolidation of said Special Sewer Trunk Extension Advisory Election with the general election to be held on November 6, 1979, and Resolution No. 79-801 transmitting a copy of the proposed advisory measure to be voted on at said Special Sewer Trunk Extension Advisory Election to the City Attorney for preparation of an impartial analysis, and

WHEREAS, said proposed advisory measure was for the purpose of advising this Council as to whether or not it should approve the extension of the existing sewer trunk line in Yosemite Boulevard from Lincoln Avenue east to Claus Road, and

WHEREAS, questions have arisen regarding sewer service to the City of Hughson and the possibility of tying Hughson's sewer system into Modesto's sewer system through the Yosemite Sewer Trunk Line, and

WHEREAS, questions have arisen regarding the ultimate needs and requirements of the Empire Sanitary District for tying into Modesto's sewer system through the Yosemite Sewer Trunk Line, and

WHEREAS, questions have arisen regarding the time frame for the Jennie-Grand Bridge Couplet approval and construction by the State of California, and

WHEREAS, this Council has determined that in order to provide sufficient time for consideration of said questions, the advisory election on the extension of the Yosemite Sewer Trunk Line should be postponed until the general election to be held on November 4, 1980,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby cancel the Special Sewer Trunk Extension Advisory Election previously called for November 6, 1979.

BE IT FURTHER RESOLVED that Modesto City Council Resolutions No. 79-799, 79-800 and 79-801 adopted on August 7, 1979, are hereby rescinded.

BE IT FURTHER RESOLVED that this Council hereby declares its intention to call a special advisory election to place an advisory measure on the ballot at the general election to be held on November 4, 1980, regarding the extension of the Yosemite Sewer Trunk Line, with the wording of said advisory measure to be determined by this Council at the time it formally calls said advisory election, taking into account the information that becomes available regarding the three questions referred to above.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers:

ABSENT: Councilmembers: Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-942

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE REPAIR OF THE EMERALD TRUNK LINE AT ROBERTSON ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the repair of the Emerald trunk line at Robertson Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on September 25, 1979, at 11:15 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-943

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF LIFT STATION AND SUBTRUNK SEWER IN TORRID AVENUE AND DIABLO AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of lift station and subtrunk sewer in Torrid Avenue and Diablo Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1979, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-944

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE CONSTRUCTION OF A 39-INCH NORTHWEST TRUNK SEWER

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of a 39-inch northwest trunk sewer **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1979, at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Cozze
NORRINE COZZE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-945

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $364,000 TO COVER COST OF THE NORTH WEST TRUNK SEWER

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 212)	$364,000
TO:	North West Trunk Sewer (6458 520 212)	$364,000

To cover the cost of the North West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-946

A RESOLUTION ACCEPTING THE BID OF FLINTKOTE COMPANY FOR THE CONSTRUCTION OF CONANT AVENUE AND LATERAL NO. 7 CANAL CROSSING

WHEREAS, Resolution No.79-782, adopted by the Council of the City of Modesto on August 7, 1979 , approved the plans and specifications for the the construction of Conant Avenue and Lateral No. 7 canal crossing and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Conant Avenue and Lateral No. 7 canal crossing were opened at 11:00 a.m. on August 28, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Flintkote Company in the amount of $151,213.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of the Flintkote Company in the amount of $151,213.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-947

A RESOLUTION ACCEPTING THE BID OF ANDERSON PIPELINE FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 3203

WHEREAS, Resolution No.79-835, adopted by the Council of the City of Modesto on August 14, 1979 , approved the plans and specifications for the the construction of waterline extension in Block 3203 and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Block 3203 were opened at 11:05 a.m. on September 4, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Anderson Pipeline in the amount of $7,796.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Anderson Pipeline in the amount of $7,796 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-948

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC. FOR THE IMPROVEMENT OF ORANGEBURG AVENUE FROM COLLIER TO COFFEE

WHEREAS, Resolution No. 79-833, adopted by the Council of the City of Modesto on August 14, 1979, approved the plans and specifications for the improvement of Orangeburg Avenue from Collier to Coffee and authorized the calling for bids; and

WHEREAS, the bids received for the improvement of Orangeburg Avenue from Collier to Coffee were opened at 2:30 p.m. on September 4, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $238,819.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $238,819.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-949

A RESOLUTION ACCEPTING THE BID OF STOCKTON FENCE & MATERIAL COMPANY FOR BEARD BROOK, DAVIS AND MELLIS PARKS FENCE REFURBISHING

WHEREAS, Resolution No. 79-834, adopted by the Council of the City of Modesto on August 14, 1979 , approved the plans and specifications for the Beard Brook, Davis and Mellis Parks fence refurbishing and authorized the calling for bids; and

WHEREAS, the bids received for the Beard Brook, Davis and Mellis Parks fence refurbishing were opened at 11:00 a.m. on September 4, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Stockton Fence and Material Company in the amount of $12,840.80 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Stockton Fence and Material Company in the amount of $12,840.80 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-950

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH A.B. DICK FOR ONE MAGNA II MAG-CARD TYPEWRITER

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one Magna II mag-card typewriter is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with A.B. Dick for the total purchase price of $6,785.66 for one Magna II mag-card typewriter.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

PROJECT NO._____

MODESTO CITY COUNCIL
RESOLUTION NO. 79-951

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 2029) SANTA ANA/WILSON - ROBLE-LA LOMA

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

BLOCK ~~2920~~ 2029 - Santa Ana/Wilson - Roble-LaLoma

Albert Jr./Paula Autry/Paul Warda	Lot 35
Lester B./Ruth L. Starr	Lot 34, 35
Bruce & Millicent Service	Lot 33, 34
Christine L. Thomason	Lot 32, 33
Robert E. & Heidi J. Lofgren	Lot 31, 32
Pauline Snowden	Lot 30, 31
Edmond T. & Santina Raper	Lot 29, 30
Pearle T. Mann	Lot 29
Lawrence E. Bolles, Jr.	Lot 28, 29
Doris C. Swasey	Lot 27, 28
Clinton L. & Blanche R. Atwood	Lot 26, 27
Ralph L., Jr. & Lanora William	Lot 25, 26
Buddy R. & Ina F. Collins	Lot 26, 27
Georgia A. Harkrader	Lot 27, 28
James E. & Robin Stoker	Lot 28, 29
Leon & Freda Glenn	Lot 29, 30
Philip A. Peterson/Anthony J. & Erma R. Cannazzaro	Lot 30
Raymond K. & Louise Durr	Lot 31
Leroy & Elizabeth M. DelDon	Lot 32, 33
Erwin E. & Margaret More	Lot 33, 34
Willis D. & Sue A. Severe	Lot 34, 35
Phillip B. & Robin M. Swearingen	Lot 35

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Albert, Jr. & Paula L. Autry and Paul Warda

ADDRESS: 1022 Roble Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.57 feet of the East 154.57 feet of the North 64.15 feet of the South 101.15 feet of Lot 35 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1127-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64.25 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND [illegible]

NOTICE IS HEREBY GIVEN TO:

NAME: Lester B. & Ruth L. Starr

ADDRESS: 327 Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.55 feet of the East 154.44 feet of the South 37 feet of Lot 35 and the North 23 feet of Lot 34 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 32, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1128-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Bruce & Millicent Service

ADDRESS: 325 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.54 feet of the East 154.54 feet of the South 43 feet of Lot 34 and the North 17 feet of Lot 33 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1129-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Christine L. Thomason

ADDRESS: 323 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.54 feet of the East 154.53 feet of the South 49 feet of Lot 33 and the North11 feet of Lot 32 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1130-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert E. & Heidi J. Lofgren

ADDRESS: 321 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.51 feet of the East 154.51 feet of the South 55 feet of Lot 32 and the North 13 feet of Lot 31 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1131-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Pauline Snowden

ADDRESS: 319 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.50 feet of the East 154.40 feet of the South 53 feet of Lot 31 and the North 2 feet of Lot 30 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1132-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

55 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENTS

NOTICE IS HEREBY GIVEN TO:

NAME: Edmond T. & Santina Raper

ADDRESS: 317 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.49 feet of the East 154.49 feet of the South 64 feet of Lot 30 and the North 6 feet of Lot 29 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1133-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Pearle T. Mann

ADDRESS: 315 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.48 feet of the East 154.48 feet of the South 50 feet of the North 56 feet of Lot 29 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1134-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lawrence E. Bolles, Jr.

ADDRESS: 313 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.46 feet of the East 154.46 feet of the South 10 feet of Lot 29 and the North 40 feet of Lot 28 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1135-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Doris C. Swasey

ADDRESS: 311 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.45 feet of the East 154.45 feet of the South 26 feet of Lot 28 and the North 33.72 feet of Lot 27 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1136-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

59.72 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Clinton L. & Blanche R. Atwood

ADDRESS: 309 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.44 feet of the South 32.28 feet of Lot 27 and the North 27.72 feet of Lot 26 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1137-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Ralph L., Jr. & Lanora William

ADDRESS: 395 N. Santa Ana Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The West 124.44 feet of the East 154.44 feet of the South 38.28 feet of Lot 26 and that portion of Lot 25 lying Northeasterly of LaLoma Street line of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1138-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

44.59 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND NOTICE

NOTICE IS HEREBY GIVEN TO:

NAME: Buddy R. & Ina F. Collins

ADDRESS: 1007 LaLoma Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.45 feet of the West 154.45 feet of the South 32.28 feet of Lot 27 and that portion of Lot 26 lying Northeasterly of LaLoma Street line of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1142-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

89.14 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Georgia A. Harkrader

ADDRESS: 304 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.45 feet of the North 33.72 feet of Lot 27 and the South 26 feet of Lot 28 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Mpas, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1143-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

59.72 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James E. & Robin Stoker

ADDRESS: 306 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.46 feet of the West 154.46 feet of the North 40 feet of Lot 28 and the South 16 feet of Lot 29 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1144-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

56 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Leon & Freda Glenn

ADDRESS: 314 N. Wilson Ave., Modesto, Ca 95351

Who is the owner of record of property described as follows:

The East 124.48 feet of the West 154.48 feet of the North 50 feet of Lot 29 and the South 6 feet of Lot 30 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1145-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Philip A. Peterson and Anthony J. & Erma R. Cannazzaro

ADDRESS: 316 N. Wilson Ave., Modesto, Ca 95351

Who is the owner of record of property described as follows:

The East 124.49 Feet of the West 154.49 feet of the North 60 feet of Lot 30 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1146-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Raymond K. & Louise Durr

ADDRESS: 318 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.501 feet of the East 154.501 feet of Lot 31 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1147-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY

NOTICE IS HEREBY GIVEN TO:

NAME: Leroy & Elizabeth M. DelDon

ADDRESS: 320 & 322 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.515 feet of the West 154.515 feet of Lot 32, 33 and the South 54 feet of Lot 33 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Pg. 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1153-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

120 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Erwin E. & Margaret More

ADDRESS: 324 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.54 feet of the West 154.54 feet of the North 12 feet of Lot 33 and the South 43 feet of Lot 34 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1150-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

55 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30p.m. on the 11thday of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Willis D. & Sue A. Severe

ADDRESS: 326 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.55 feet of the West 154.55 feet of the North 23 feet of Lot 34 and the South 37 feet of Lot 35 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1151-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Phillip B. & Robin M. Swearingen

ADDRESS: 328 N. Wilson Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The East 124.57 feet of the West 154.57 feet of the North 64.35 feet of the South 101.35 feet of Lot 35 of Block 2029 of the Wilson School Tract as per map filed March 24, 1924 in Volume 09 of Maps, Page 82, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 108-1152-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64.25 lineal feet of 2" A.C. resurfacing abutting said property in Block 2029 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-952

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 12951) HAMPSHIRE/WESTCHESTER - WESTCHESTER LN./SUNRISE

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

BLOCK 12951 - Hampshire/Westchester - Westchester Ln./Sunrise

Robert B. & Dorothy L. Hernandez	Lot 1
Delwin E. & Ruth M. Eliason	Lot 2
Donald T. & Margaret Fahey	Lot 3
Heinz Purwins	Lot 4
Arland H. & Janis M. Merchant	Lot 5
Melvin M. & Mary L. Gabelhaus	Lot 6
Delbert B. & Elizabeth J. Main	Lot 7
Juan G. & Marilyn A. Morales	Lot 8
Austin E. & Lucille Fuller	Lot 9
George E. & Vera Thiel	Lot 10
Robert L. & Mary L. Leach	Lot 11
John W. & Dorothy H. Bennett	Lot 12
August J., Jr. & Margaret M. Duchala	Lot 13
Loren & Lannie Becker	Lot 14
Roger W. & Francis A. Ebright	Lot 15
Steve D. & Judith A. Sutter	Lot 16
Ann W. Adams	Lot 17

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert B. & Dorothy L. Hernandez

ADDRESS: 2617 Sunrise Avenue, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 1 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3001-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

101.89 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Delwin E. & Ruth M. Eliason

ADDRESS: 2701 Hampshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 2 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3002=001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

103.33 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Donald T. & Margaret Fahey

ADDRESS: 2705 Hampshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 3 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3003-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Heinz Purwins

ADDRESS: 2709 Hapshire Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 4 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3004-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

71.85 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Arland H. & Janis M. Merchant

ADDRESS: 2801 Hampshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 5 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3005-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

80.59 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Melvin M. & Mary L. Gabelhaus

ADDRESS: 2805 Hapshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 6 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3006-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

30.84 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Delbert B. & Elizabeth J. Main

ADDRESS: 2809 Hampshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3007-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

30.52 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Juan G. & Marilyn A. Morales

ADDRESS: 2813 Hampshire Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 8 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3008-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

30.88 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Austin E. & Lucille Fuller

ADDRESS: 2830 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 9 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3009-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

91.25 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: George E. & Vera Thiel

ADDRESS: 2808 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 10 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3010-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

71.99 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert L. & Mary L. Leach

ADDRESS: 2804 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3011-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.68 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John W. & Dorothy H. Bennett

ADDRESS: 2800 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 12 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3012-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.66 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: August J., Jr. & Margaret M. Duchala

ADDRESS: 2720 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 13 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3013-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.67 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Loren & Lannie Becker

ADDRESS: 2716 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 14 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3014-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.67 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Roger W. & Francis A. Ebright

ADDRESS: 2712 Westchester Ln., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 15 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3015-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.66 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Steve D. & Judith A. Sutter

ADDRESS: 2708 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 16 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3016-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

72.80 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ann W. Adams

ADDRESS: 2704 Westchester Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 17 of Block 12951 of Sherwood Manor as per map filed July 20, 1959 if Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-3017-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66.61 lineal feet of 2" A.C. resurfacing abutting said property in Block 12951 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-953

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 2128) SEVERIN/CAMILLA - ROBLE/HADDON

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 2128 - Severin/Camilla - Roble/Haddon

Herald C. & Evelyn Eaton	Lot 1
Marcos I. & JoAnne Santillan	Lot 2
Elva R. Snyder	Lot 3
Fern B. Silver	Lot 4
Warren & Anna M. England	Lot 5
Thomas B. & Gladys Thompson	Lot 6
Lola M. Thedford	Lot 7
M.B. & Marjorie E. Crews	Lot 8
Mildred L. Hickle	Lot 9
Samuel C. & Esther A. Smith	Lot 10
Jackie R. & Debra J. Whatley	Lot 11
Fannie Rossi	Lot 12
Norman G. & Dulcie McCoy	Lot 13
Kathryn L. Steele and Patrich R. Moore	Lot 14
Betty J. Hawkins	Lot 15
Gladys E. Mendonca	Lot 16
Gladys N. Walker	Lot 17
Bertha I. Howey	Lot 18
Albert J. & Lois A. Woods	Lot 19
Wilma J. & Opaline F. Liles	Lot 20
Ronald Setliff & Kim Watson	Lot 21
Carol W. & Doris L. Everett	Lot 22
Gladys C. Maderos	Lot 23
Ronald C. DeLong	Lot 24
James W., Jr. & Colleen F. Woods	Lot 25
Harold W. & Margaret L. Hinman	Lot 26

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Herald C. & Evelyn Eaton

ADDRESS: 349 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 1 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0227-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67.40 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Marcos I. & JoAnne Santillan

ADDRESS: 345 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 2 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0228-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Elva R. Snyder

ADDRESS: 341 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 3 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0229-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Fern B. Silver

ADDRESS: 337 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 4 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0230-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Warren & Anna M. England

ADDRESS: 333 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 5 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002=01 116-0231-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas B. & Gladys Thompson

ADDRESS: 329 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 in Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0232-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lola M. Thedford

ADDRESS: 325 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 in Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0233-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

53 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: M.B. & Marjorie E. Crews

ADDRESS: 321 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 8 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0234-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Mildred L. Hickle

ADDRESS: 317 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 9 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0235-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Samuel C. & Esther A. Smith

ADDRESS: 313 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 10 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0236-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Jackie R. & Debra J. Whatley

ADDRESS: 309 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 11 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0237-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Fannie Rossi

ADDRESS: 303 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 12 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0238-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Norman G. & Dulcie McCoy

ADDRESS: 301 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 13 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0239-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64.52 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Kathryn L. Steele and Patrich R. Moore

ADDRESS: 300 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 14 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0240-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64.54 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Betty J. Hawkins

ADDRESS: 302 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 15 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0241-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2123 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gladys E. Mendonca

ADDRESS: 310 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 16 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0242-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Gladys N. Walker

ADDRESS: 314 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 17 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0243-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Bertha I. Howey

ADDRESS: 318 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 18 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0244-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Albert J. & Lois A. Woods

ADDRESS: 322 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 19 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0245-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Wilma J. & Opaline F. Liles

ADDRESS: 326 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 20 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0246-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

58 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ronald Setliff and Kim Watson

ADDRESS: 330 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 21 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0247-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Carol W. & Doris L. Everett

ADDRESS: 334 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 22 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0248-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 19 79 .

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gladys C. Maderos

ADDRESS: 338 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 23 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel NO. 002-01 116-0249-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Roanld C. DeLong

ADDRESS: 342 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 24 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus Coutny Assessor's Parcel No. 002-01 116-0250-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James W., Jr. & Colleen F. Woods

ADDRESS: 348 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 25 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0251-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Harold W. & & Margaret L. Hinman

ADDRESS: 350 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 26 of Block 2128 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0252-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67.37 lineal feet of 2" A.C. resurfacing abutting said property in Block 2128 in the City of Modesto, all of said construction to be in accordance with City Of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-954

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 8) FOURTH/THIRD - "J" STREET/"I" STREET

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 8 - Fourth/Third - "J" Street/"I" Street

John C. & Camille P. HolzHeimer	Lot 17, 18
Ahmed A. Machmali	Lot 19, 20
James R. & Mary A. Melson & Wanda Melson	Lot 20, 21
Lola J. Melson & Wanda V. Melson	Lot 22, 23
Raymond J. Salomon (Kathryn)	Lot 24, 25
Wanda V. Melson	Lot 26, 27
Thelma Turren	Lot 28, 29, 30
Silas W. Green	Lot 30, 31, 32
Leroy F. Scott	Lot 13, 14, 15, 16
Silas W. Green	Lot 12, 13
Freda Salmuels	Lot 10, 11
Allen Bias & Emma E. Waters	Lot 8, 9
Florencio Santos and Gloria E. Atkinson	Lot 6, 7
Reyes F. & Delia Rangel	Lot 4, 5
Leopold Prescott	Lot 1, 2, 3

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John C. & Camille P. Holzheimer

ADDRESS: 2829 Westchester Ln., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 17 and 18 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2308-003)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ahmed A. Machmali

ADDRESS: 904 3rd St., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 19 and the Southeasterly 12.5 feet of Lot 20 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2309-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

37.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James R. & Mary A. Melson and Wanda Melson

ADDRESS: 920 3rd St., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 21 and the Northwesterly 12.5 feet of Lot 20 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2310-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

37.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lola J. Melson and Wanda V. Melson

ADDRESS: 920 3rd. St., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 22 and 23 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2311-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Raymond J. Salomon (Kathryn)

ADDRESS: 44 San Ramon Way, Novato, CA 94947

Who is the owner of record of property described as follows:

Lots 24 and 25 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2312-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Wanda V. Nelson

ADDRESS: 920 3rd St., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 26 and 27 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2313-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thelma Turren

ADDRESS: 924 3rd St., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 28, 29 and the Southeasterly 10 feet of Lot 30 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2314-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Silas W. Green

ADDRESS: 347 I St., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 31, 32 and the Northwesterly 15 feet of Lot 30 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2315-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Leroy F. Scott

ADDRESS: 4391 Broadway, Vallejo, CA 94590

Who is the owner of record of property described as follows:

Lots 14, 15, 16 and the Southeasterly 15 feet of Lot 13 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2307-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

90 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Silas W. Green

ADDRESS: 225 N. Carpenter Rd., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 12 and the Northwesterly 10 feet of Lot 13 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2306-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

45 lineal feet of 2" A.C. resurfacing abutting said property in Block 3 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Freda Salmuels

ADDRESS: 909 4th St., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 10 and 11 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2305-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Allen Bias & Emma E. Waters

ADDRESS: 917 4th St., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 8 and 9 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2304-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Florencio Santos and Gloria E. Atkinson

ADDRESS: 919 4th St., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 6 and 7 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2303-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Reyes F. & Delia Rangel

ADDRESS: 923 4th St., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 4 and 5 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2302-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Leopold Prescott

ADDRESS: P.O. Box 2672, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 1, 2 and 3 of Block 8 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 8, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 104-2301-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of 2" A.C. resurfacing abutting said property in Block 8 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-955

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 6022) WESTLAND/DEL VALE - AHSWOOD/OAKWOOD

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979, order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September, 1979, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 6022 - Westland/Del Vale - Ashwood/Oakwood

Edward A. & Clara E. Borba	Lot 1
Johnnes C. & Ruth E. Nadell	Lot 2
Alder Fred & Bernice Moore	Lot 3
Lee R. & Doris Heune	Lot 4
William G. Mortimer	Lot 5
Charles A. & Charlotte Longcor	Lot 6
Alfonso & Laurentina Cala	Lot 7
Richard & Shirley D. Priester	Lot 8
Earnest W. & Melba I. Hawley	Lot 9
Edward H. Reece	Lot 10
Ruth E. Pierce	Lot 11
Russell W. & Dorothy Martin	Lot 12
Robert L. & Mary Davis	Lot 13
Lowell W. & Ruth A. Coey	Lot 14

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Edward A. & Clara E. Borba

ADDRESS: 1626 Oakwood Drive, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 1 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1541-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63.84 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Johnnes C. & Ruth E. Nadell

ADDRESS: 1622 Oakwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 2 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1540-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Alder Fred & Bernice Moore

ADDRESS: 1618 Oakwood Drive, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 3 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1539-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Lee R. & Doris Heune

ADDRESS: 1614 Oakwood Drive, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 4 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1538-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: William G. Mortimer

ADDRESS: 1610 Oakwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 5 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1537-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Charles A. & Charlotte Longcor

ADDRESS: 1606 Oakwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 6 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1536-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Alfonso & Laurentina Cala

ADDRESS: 1602 Oakwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1535-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66.27 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Richard & Shirley D. Priester

ADDRESS: 1309 Del Vale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 8 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1548-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Earnest W. & Melba I. Hawley

ADDRESS: 1605 Ashwood Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 9 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1547-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Edward H. Reece

ADDRESS: 1609 Ashwood Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 10 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1546-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ruth E. Pierce

ADDRESS: 1613 Ashwood Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel no. 002-03 117-1545-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Russell W. & Dorothy Martin

ADDRESS: 1617 Ashwood Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 12 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1544-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert L. & Mary Davis

ADDRESS: 1621 Ashwood Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 13 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1543-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Lowell W. & Ruth A. Coey

ADDRESS: 1310 Westland Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 14 of Block 6022 of Westland Manor No. 1 as per map filed April 28, 1955 in Volume 18 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 117-1542-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66.14 lineal feet of 2" A.C. resurfacing abutting said property in Block 6022 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-956

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 5303) MEADOW/CLOVER - FAIROAKS/HILLVIEW

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 5303 - Meadow/Clover - Fairoaks/Hillview

Carlos A. Vergara	Lot 1
James H., Jr. & Beverly Edmondson	Lot 2
Robert P. & Rhonda T. Green	Lot 3
Pete A. & Josephine Clarot	Lot 4
Raymond P. & Vivian F. Olsen	Lot 5
Fred Varni	Lot 6
John E. & Julia C. Thurman	Lot 7
Billie R. & Frances M. Poe	Lot 8
Kirby C. & Johnalew M. Seay	Lot 9

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Carlos A. Vergara

ADDRESS: P.O. Box 2647, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 1 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3028-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

104.15 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James H., Jr. & Beverly Edmondson

ADDRESS: 105 Clover Ln., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 2 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3029-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

104.15 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of MOdesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert P. & Phonda T. Green

ADDRESS: 201 Clover Ln., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 3 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3030-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

104.15 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Pete A. & Josephine Clarot

ADDRESS: 3817 Meadowview Ct., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 4 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3031-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

104.15 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Raymond P. & Vivian F. Olsen

ADDRESS: 209 Clover Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 5 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3032-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

104.79 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 19 79 .

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Fred Varni

ADDRESS: 206 Meadow Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3024-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

135 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John E. & Julia C. Thurman

ADDRESS: 202 Meadow Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3025-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

105 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Billie R. & Frances M. Poe

ADDRESS: 106 Meadow Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 8 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3026-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

105 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Kirby C. & Johnalew M. Seay

ADDRESS: 1305 Fairoaks Dr., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 9 of Block 5303 of Hillview Acres as per map filed February 27, 1959 in Volume 19 of Maps, Page 14, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3027-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

124.61 lineal feet of 2" A.C. resurfacing abutting said property in Block 5303 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-957

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 1207) MORENE/LORRY - COOLIDGE/BRIGGSMORE

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 1207 - Morene/Lorry - Coolidge/Briggsmore

Marguerite N. Van Alfen c/o Marsha Dixon	Lot 7
Dewey L. & Meredith C. Stines	Lot 6
Lee R. & Mary M. Bayley	Lot 5
Victor & Geraldine Brown	Lot 4
John E. & Marion R. Shores	Lot 3
Thomas V. & Valerie A. Baba	Lot 2
Ruby E. Carey	Lot 1
Derek J. & Pauline A. Larkin	Lot 14
Daniel M. & Angelina L. Swass	Lot 13
Paul W. & Geneva C. Howard	Lot 12
M. Bennideen Lockhart	Lot 11
Carl R. & Dorothy M. Briscoe	Lot 10
Stephen R. & Patricia A. Fairchild	Lot 9
Michael & Virginia Damkowitch	Lot 8

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Marguerite N. Van Alfen c/o Marsha Dixon

ADDRESS: 1722 Sandalwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 of Block 1208 of Green Acres as per map filed November 24, 1954 in Volume 18 of Maps, Page 11, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0351-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77.23 lineal feet of 2" A.C. resurfacing abutting said property in Block 1208 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Dewey L. & Meredith C. Stines

ADDRESS: 1512 Lorry Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 6 of Block 1208 of Green Acres as per map filed November 24, 1954 in Volume 18 of Maps, Page 11, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0350-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

74.50 lineal feet of 2" A.C. resurfacing abutting said property in Block 1208 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lee R. & Mary M. Bayley

ADDRESS: 1518 Lorry Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 5 of Block 1208 of Green Acres as per map filed November 24, 1954 in Volume 18 of Maps, Page 11, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0349-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

74.50 lineal feet of 2" A.C. resurfacing abutting said property in Block 1208 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Victor & Geraldine Brown

ADDRESS: 1524 Lorry Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 4 of Block 1208 of Green Acres as per map filed November 24, 1954 in Volume 18 of Maps, Page 11, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0348-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

74.22 lineal feet of 2" A.C. resurfacing abutting said property in Block 1208 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John E. & Marion R. Shores

ADDRESS: 508 Greenwich Ln., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 3 of Block 1207 of Green Acres No. 3 as per map filed August 12, 1958 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0306-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

79.31 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas V. & Valerie A. Baba

ADDRESS: 1536 Lorry Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 2 of Block 1207 of Green Acres No. 3 as per map filed August 12, 1958 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0305-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

115 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ruby E. Carey

ADDRESS: 1542 Lorry Ave, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 1 of Block 1207 of Green Acres No. 3 as per map filed August 12, 1958 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0304-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

15 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Derek J. & Pauline A. Larkin

ADDRESS: 1541 Morene Way, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 14 of Block 1206 of Green Acres No. 3 as per map filed August 12, 1958 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0309-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

15 lineal feet of 2" A.C. resurfacing abutting said property in Block 1206 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Daniel M. & Angelina L. Swass

ADDRESS: 1535 Morene Way, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 13 of Block 1206 of Green Acres No. 3 as per map filed August 12, 1953 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0308-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

115 lineal feet of 2" A.C. resurfacing abutting said property in Block 1206 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Paul W. & Geneva C. Howard

ADDRESS: 1529 Morene Way, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 12 of Block 1206 in Green Acres No. 3 as per map filed August 12, 1958 in Volume 19 of Maps, Page 6, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0307-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

79.27 lineal feet of 2" A.C. resurfacing abutting said property in Block 1206 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: M. Bennideen Lockhart

ADDRESS: 1313 Glenwood Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 of Block 1207 of Green Acres No. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0347-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75.18 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Carl R. & Dorothy M. Briscoe

ADDRESS: 1517 Morene Way, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 10 of Block 1207 of Green Acres No. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0346-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

74.50 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Stephen R. & Patricia A. Fairchild

ADDRESS: 1511 Morene Way, Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 9 of Block 1207 of Green Acres No. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0345-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

74.50 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Michael & Virginia Damkowitch

ADDRESS: 1521 E. Coolidge Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 8 of Block 1207 of Green Acres No. 2 as per map filed October 25, 1955, in Volume 18 of Maps, Page 38, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 080-08 032-0344-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

76.27 lineal feet of 2" A.C. resurfacing abutting said property in Block 1207 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-958

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 6707) COLLEGE/MONTE CARLO - HAWTHORNE/MONTE CRISTO

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 6707 - College/Monte Carlo - Hawthorne/Monte Cristo

Amos & Flora Flowers	Lot 4
James W. & Betty A. Marshall	Lot 5
Robert E. & Constance C. Mowry	Lot 6
Harold A. & Maxine Hansen	Lot 7
Ms. Jean G. Hanna	Lot 8
Clifford F. & Hilda C. Smith	Lot 9
First United Methodist Church	Lot 10
Erick E. & Jeanette R. Lehfedt	Lot 16
Dorothy Kounelias	Lot 17
Wendell A. Holmberg	Lot 18
Minnie E. Taylor	Lot 19
Patricia A. Handler	Lot 20
Carol K. Savage	Lot 21
Arthur & Coral Brohm	Lot 22

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Amos & Flora Flowers

ADDRESS: 1820 Monte Carlo AVe., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 4 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2904-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

65.74 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James W. & Betty A. Marshall

ADDRESS: 1824 Monte Carlo Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 5 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2905-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert E. & Constance C. Mowry

ADDRESS: 1902 Monte Carlo Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 6 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2906-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Harold A. & Maxine Hansen

ADDRESS: 1906 Monte Carlo Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2907-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Ms. Jean G. Hanna

ADDRESS: 1910 Monte Carlo Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 8 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2908-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

68.82 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Clifford F. & Hilda C. Smith

ADDRESS: 1914 Monte Carlo Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 9 of Block 6707 of College Deville as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2909-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63.88 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: First United Methodist Church

ADDRESS: 850 16th St., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lot 10 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2910-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70.09 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Erick E. & Jeanette R. Lehfedt

ADDRESS: 1917 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 16 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2911-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

56.29 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Dorothy Kounelias

ADDRESS: 1913 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 17 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2912-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

56.96 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 1979 .

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Wendell A. Holmberg

ADDRESS: 1909 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 18 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2913-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

67.04 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Minnie E. Taylor

ADDRESS: 1905 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 19 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2914-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70.93 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Patricia A. Handler

ADDRESS: 1901 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 20 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2915-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77.09 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Carol K. Savage

ADDRESS: 1825 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 21 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2916-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

71.27 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Arthur & Coral Brohm

ADDRESS: 1819 College Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 22 of Block 6707 of College DeVille as per map filed May 25, 1956 in Volume 18 of Maps, Page 52, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-07 059-2917-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

73.51 lineal feet of 2" A.C. resurfacing abutting said property in Block 6707 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-959

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 2129) CAMILLA/SEVERIN - ROBLE/ENCINA

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 2129 - Camilla/Severin - Roble/Encina

Thomas O. Millerman	Lot 10
Henrietta Prandini	Lot 11
Taylor H. & Lillian Posey	Lot 12
Daniel & Linda Eikenberry & John MacArthur	Lot 13
Donald B. & Barbara Taylor	Lot 14
Clair M. & Imojean R. Peterson	Lot 15, 16
Theodore J. & Marilynn C. Kaczka	Lot 16, 17
Anthony & Elvirah Barse	Lot 18
Tony R. & Frances D. Tabalon	Lot 1
Janet M. Hamilton & Clarence C. Stenzel	Lot 2
Scott L. & Carol L. Johnson	Lot 3
Jack T. & Pearl J. Dickie	Lot 4
Thomas J. & Mildred L. Woods	Lot 5
Gertrude N. Sivils	Lot 6
W. Roy & Marie E. Vernor	Lot 7
Andy & Lenah H. Stankovich	Lot 8
Wilson M. & Bonnie Boyd	Lot 9

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas O. Millerman

ADDRESS: 400 Camellia Way

Who is the owner of record of property described as follows:

Lot 10 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0101-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63.14 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Henrietta Prandini

ADDRESS: 404 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 11 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0102-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT

NOTICE IS HEREBY GIVEN TO:

NAME: Taylor H. and Lillian Posey

ADDRESS: 408 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 12 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0103-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Daniel & Linda Eikenberry and John MacAurtur

ADDRESS: 18099 Via Serena, Sonora, CA 95370

Who is the owner of record of property described as follows:

Lot 13 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0104-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Donald B. & Barbara Taylor

ADDRESS: 514 S. Stewart Street, Sonora, CA 95370

Who is the owner of record of property described as follows:

Lot 14 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0105-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Clair M. & Imojean R. Peterson

ADDRESS: 420 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 15 and the South 30 feet of Lot 16 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0106-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

90 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Theodore J. & Marilynn C. Kaczka

ADDRESS: 430 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 17 and the North 30 feet of Lot 16 of Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0107-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

90 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of siad construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Anthony & Elvirah Barse

ADDRESS: 432 Camellia Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 18 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0108-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Tony R. & Frances D. Tabalon

ADDRESS: 1550 Encina Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 1 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0109-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

N O T I C E

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Janet M. Hamilton and Clarence C. Stenzel

ADDRESS: 429 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 2 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0110-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Scott L. & Carol L. Johnson

ADDRESS: 425 Severin Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 3 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0111-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Jack T. & Pearl J. Dickie

ADDRESS: 421 Severin Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 4 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0112-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas J. & Mildred L. Woods

ADDRESS: 417 Severin Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 5 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0113-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gertrude N. Sivils

ADDRESS: 413 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0114-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: W. Roy & Marie E. Vernor

ADDRESS: 409 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0115-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Andy & Lenah H. Stankowich

ADDRESS: 2616 Broadway, Huntington Park, CA 90255

Who is the owner of record of property described as follows:

Lot 8 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0116-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

60 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Wilson M. & Bonnie Boyd

ADDRESS: 401 Severin Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 9 Block 2129 of Covena Park Tract No. 2 as per map filed April 16, 1946 in Volume 14 of Maps, Page 49, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 116-0117-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63.14 lineal feet of 2" A.C. resurfacing abutting said property in Block 2129 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-960

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 350) YOSEMITE/COLORADO - WESTERN/TUOLUMNE

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 350 - Yosemite/Colorado - Western/Tuolumne

Chapel & Othella M. Owens	Lot 11, 12
Mary Rosa	Lot 13, 14
Karen Anderson	Lot 15, 16
Lucas A. & Maria Ayala	Lot 17, 18
Gilbert G. & Irma G. Soto	Lot 19, 20
Betty J. Smith & Kathryn M. Mast	Lot 21, 22
Dorothy G. Corriea	Lot 23, 24
Hermenejildo Landeros	Lot 25, 26
Steven & Lisa Sanders	Lot 26, 27
Fransah & Youlia Benyamino & Chmoon E. Davoodzadeh	Lot 28, 29
Nasario & Elisa Linares	Lot 29, 30
Raymond & Dorothy Caine	Lot 31, 32
Agustin & Alma M. Alberto	Lot 33, 34
Christine F. Whaley	Lot 35, 36
Rupert A. & Lulu M. Peter	Lot 37, 38
Frances Dunham	Lot 39, 40
Ruth E. Williams	Lot 41- 42
Junior L. Smith	Lot 43, 44

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Chapel & Othella M. Owens

ADDRESS: 313 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 11-12 of Block 350 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0609-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Mary Rosa

ADDRESS: 317 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 13 - 14 of Block 350 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0608-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Karen Anderson

ADDRESS: 321 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 15 - 16 of Block 350 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0607-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lucas A. & Maria Ayala

ADDRESS: 325 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 17 - 18 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0606-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gilbert G. & Irma G. Soto

ADDRESS: 802 East D St., Oakdale, CA 95361

Who is the owner of record of property described as follows:

Lots 19 -20 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0605-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Betty J. Smith and Kathryn M. Mast

ADDRESS: 333 Yosemite Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 21-22 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0604-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Dorothy G. Corriea

ADDRESS: 337 Yosemite Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lots 23-24 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0603-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Hermenejildo Landeros

ADDRESS: 341 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 25 and the North 37.5 feet of Lot 26 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Reocrds.

(Stanislaus County Assessor's Parcel No. 002-01 102-0602-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

37.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE IS HEREBY GIVEN TO:

NAME: Steven & Lisa Sanders

ADDRESS: 347 Yosemite Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The South 12.5 feet of Lot 26 and Lot 27 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0601-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

40.2 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Fransah & Youlia Benyamino and Chmoon E. Davoodzadeh

ADDRESS: 1408 Orlando Dr., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 28 and the South 12.5 feet of Lot 29 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0623-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

40.2 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Nasario & Elisa Linares

ADDRESS: 342 Colorado Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

The North 12.5 feet of Lot 29 and Lot 30 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0622-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

37.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Raymond & Dorothy Caine

ADDRESS: 338 Colorado Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 31-32 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0621-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Agustin & Alma M. Alberto

ADDRESS: 334 Colorado Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 33-34 of Block 350 of the City of Modesto as per map field December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0620-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Christine F. Whaley

ADDRESS: 330 Colorado, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 35-36 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0619-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Rupert A. & Lulu M. Peter

ADDRESS: 326 Colorado Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 37-38 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

Stanislaus County Assessor's Parcel No. 002-01 102-0618-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Frances Dunham.

ADDRESS: 322 Colorado Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 39-40 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0617-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ruth E. Williams

ADDRESS: 6407 Leesburg Pl., Stockton, CA 95207

Who is the owner of record of property described as follows:

Lots 41-42 of Block 350 of the City of Modesto as per map filed December 21. 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0616-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Junior L. Smith

ADDRESS: 314 Colorado, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 43-44 of Block 350 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 350, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0615-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 350 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-961

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 305) TUOLUMNE/SIERRA - CALAVERAS/SEVENTH STREET

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 305 - Tuolumne/Sierra - Calaveras/Seventh Street

Wille Electric Supply Co., Inc.	Lot 1, 2, 3, 4, 5, 6, 39, 40, 41, 42
Collins Electrical Co., Inc.	Lot 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38
Pentecostal Church	Lot 24, 25, 26, 27
United Pentacostal Church of Modesto	Lot 22, 23
Stanley J. & Sandra K. Dansby	Lot 20, 21
Bernaldino R. & Maria Alvarado	Lot 18, 19
Harley C. & Barbara R. Winter	Lot 16, 17
Robert S. & Elaine Jones/Dean R. & Sondra Wilson	Lot 14, 15
Randy W. & Sharon S. Lambert	Lot 12, 13
George D. & Lia W. Zmutt	Lot 10, 11
John P. Mineni/Victor F. Mineni/Robert Mineni	Lot 7, 8, 9

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Wille Electric Supply Co. Inc.

ADDRESS: P.O. Box 3246, Modesto, CA 95353

Who is the owner of record of property described as follows:

Lots 1, 2, 3, 4, 5, 6, 39, 40, 41 and 42 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1529-003)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

148.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Collins Electrical Co. Inc.

ADDRESS: P.O. Box 1609, Stockton, CA 95201

Who is the owner of record of property described as follows:

Lots 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1530-004)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

110 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Pentecostal Church

ADDRESS: 133 Tuolumne Blvd., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 24, 25, 26 and 27 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1531-005)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: United Pentacostal Church of Modesto.

ADDRESS: 129 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 22 and 23 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1521-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

160 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Stanley J. & Sandra K. Dansby

ADDRESS: 125 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 20 and 21 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1522-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

55 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Bernaldino R. & Maria Alvarado

ADDRESS: 121 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 18 and 19 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1523-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Harley C. & Barbara R. Winter

ADDRESS: 117 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 16 and 17 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1524-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert S. & Elaine Jones and Dean R. & Sondra Wilson

ADDRESS: 113 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 14 and 15 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1525-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Randy W. & Sharon S. Lambert

ADDRESS: 109 Calaveras Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 12 and 13 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1526-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

57.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: George D. & Lia W. Zmutt

ADDRESS: 103 Calaveras Ave., Modesto, CA 95354

Who is the owner of record of property described as follows:

Lots 10 and 11 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1527-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

57.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John P. Mineni and Victor F. Mineni and Robert Mineni

ADDRESS: 629 5th St. Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 7, 8 and 9 of Block 305 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 305, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1528-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

135 lineal feet of 2" A.C. resurfacing abutting said property in Block 305 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-962

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 5323) ELM/ARBOLEDA - LOS PALOS/SUNDANCE

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 5323 - Elm/Arboleda - Los Palos/Sundance

Ralph P. & Betty A. Jessen	Lot 1
Theodore H. & Ruth G. Wasson	Lot 2
W. Mark & Margaret Moyers/Fred B. & Gail D. Ward	Lot 3
James L. & Anna M. Petty	Lot 4
Philip E. & Helen Humphreys	Lot 5
L.A. & Virginia Baker	Lot 6
Ronald Wheeless	Lot 7

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ralph P. & Betty A. Jessen

ADDRESS: 3808 Abilene Ct., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 1 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3401-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

69.17 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Theodore H. & Ruth G. Wasson

ADDRESS: 1130 Elm Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 2 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3402-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications,

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: W. Mark & Margaret Moyers and Fred B. & Gail D. Ward

ADDRESS: c/o Allied Brokers, 7000 Village Parkway, Dublin, CA 94566

Who is the owner of record of property described as follows:

Lot 3 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3403-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James L. & Anna M. Petty

ADDRESS: 417 Los Palos Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 4 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3404-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

71.41 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Philip E. & Helen Humphreys

ADDRESS: 1121 Arboleda Dr., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 5 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3417-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

78.68 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: L.A. & Virginia Baker

ADDRESS: 1125 Arboleda Dr., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3416-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

69 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ronald Wheeless

ADDRESS: 411 Los Cedros Way, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 of Block 5323 of Haciendas Del Oeste as per map filed August 13, 1959 in Volume 19 of Maps, Page 25, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 029-3415-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

132.90 lineal feet of 2" A.C. resurfacing abutting said property in Block 5323 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-963

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 311) MERCED/MADERA - CENTER/SIERRA

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 1979 , at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 311 - Merced/Madera - Center/Sierra

Lazaro, Jr. & Josephine Salcedo	Lot 38, 39
Calvin D. & Leah Stump	Lot 36, 37
Amparo & J. Pastor Jaime	Lot 34, 35
Clara O. Witt & Hazel R. Buschman	Lot 32, 33
Owen & Susan J. Jensen	Lot 30, 31
Gilbert J. & Dianne Silva	Lot 28, 29
Tommy A. & Janell A. Searls	Lot 26, 27
Robert L. & Judie O. Lotspeich/Bertha E. Lotspeich	Lot 24, 25
Richard A. & Shelley G. Hoke	Lot 23, 23
Dorothy C. Pozega	Lot 20, 21
Tony L. & Betty H. Mello	Lot 18, 19
Hazel I. Fuller	Lot 16, 17
Mary L. Pacheco	Lot 14, 15
Mary Mello	Lot 12, 13

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lazaro, Jr. & Josephine Salcedo

ADDRESS: 127 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 38 and 39 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1052-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

97.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Calvin D. & Leah Stump

ADDRESS: 120 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 36 and Lot 37 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1053-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Amparo & J. Pastor Jaime

ADDRESS: 124 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 34 and 35 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1054-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Clara O. Witt and Hazel R. Buschman

ADDRESS: 128 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 32 and 33 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1055-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Owen & Susan J. Jensen

ADDRESS: 316 El Rio Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 30 and 31 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1056-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Gilbert J. & Dianne Silva

ADDRESS: 138 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 28 and 29 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1057-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Tommy A. & Janell A. Searls

ADDRESS: 142 Merced Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 26 and 27 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1058-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

57.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September , 1979 , in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July , 19 79 .

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert L. & Judie O. Lotspeich and Bertha E. Lotspeich

ADDRESS: 2517 Meadow Rue Dr., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 24 and 25 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1041-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

57.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Richard A. & Shelley G. Hoke

ADDRESS: 135 Madera Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 22 and 23 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1042-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Dorothy C. Pozega

ADDRESS: 1702 Floyd Ave., Modesto, CA 95355

Who is the owner of record of property described as follows:

Lot 20 and 21 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1043-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 19 79, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 19 79.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Tony L. & Betty H. Mello

ADDRESS: 2201 Gordon AVe., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 18 and 19 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Pg. 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1044-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Hazel I. Fuller

ADDRESS: 121 Madera Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 16 and 17 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Reocrds.

(Stanislaus County Assessor's Parcel No. 002-01 102-1045-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Mary L. Pacheco

ADDRESS: 119 Madera Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lots 14 and 15 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-1046-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

50 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Mary Mello

ADDRESS: 745 West L St., Los Banos, CA 93635

Who is the owner of record of property described as follows:

Lots 12 and 13 of Block 311 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 311, Stanislaus County Reocrds.

(Stanislaus County Assessor's Parcel No. 002-01 102-1047-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

57.5 lineal feet of 2" A.C. resurfacing abutting said property in Block 311 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-964

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 813) PRINCETON/YALE - COLLEGE/MILLS

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 1979 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Block 813 - Princeton/Yale - College/Mills

John H. & Linda B. Olson	Lot 1, 2
Johnny R. & Rose Lazar	Lot 2, 3
Doris J. Anderson	Lot 4, 5
Olive M. Shepard	Lot 5
Theodor & Blanche Groene	Lot 6
Stanford & Billie P. Cushway	Lot 7
Thomas D. & Susan L. Basmajian	Lot 11
Fred M. Johnson	Lot 12
Albert E. & Nancy L. Carrade	Lot 13
Elton J. & Sally Simmonds	Lot 14, 15
Robert A. & Aileen Crabb	Lot 15, 16
Dorothea M. Flournoy	Lot 16, 17

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John H. & Linda B. Olson

ADDRESS: 1005 Yale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 1 and the East 32 feet of Lot 2 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1022-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

106.418 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Johnny R. & Rose Lazar

ADDRESS: 1013 Yale AVe., Modesto, CA 95350

Who is the owner of record of property described as follows:

The West 43 feet of Lot 2 and the East 47 feet of Lot 3 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1023-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

90 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Doris J. Anderson

ADDRESS: 1021 Yale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

The West 14 feet of Lot 3 and Lot 4 of Block 813 of the City of Modesto, as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1024-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

83 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, All of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Olive M. Shepard

ADDRESS: 1027 Yale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 5 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1025-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

68.72 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Theodor & Blanche Groene

ADDRESS: 1031 Yale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 6 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1026-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Stanford & Billie P. Cushway

ADDRESS: 1037 Yale Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 7 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1027-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66.84 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Thomas D. & Susan L. Basmajian

ADDRESS: 1040 Princeton Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1003-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66.84 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Fred M.Johnson

ADDRESS: 1034 Princeton Ave, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 12 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1004-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

66 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Albert E. & Nancy L. Carrade

ADDRESS: 1030 Princeton Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 13 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1005-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

68.94 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Elton J. & Sally Simmonds

ADDRESS: 1024 Princeton Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 14 and the West 14 feet of Lot 15 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1006-901)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

93 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11thday of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Robert A. & Aileen Crabb

ADDRESS: 1010 Princeton Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

The West 42 feet of Lot 15 and the East 43 feet of Lot 16 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1007-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

85 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Dorothea M. Flournoy

ADDRESS: 1002 Princeton Ave., Modesto, CA 95350

Who is the owner of record of property described as follows:

The East 32 feet of Lot 16 and Lot 17 of Block 813 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 813, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 114-1008-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

105 lineal feet of 2" A.C. resurfacing abutting said property in Block 813 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-965

A RESOLUTION DENYING AN APPLICATION FOR AN AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(150) AND OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION, PROPERTY LOCATED ON THE NORTHWEST CORNER OF SYLVAN AVENUE AND OAKDALE ROAD. (JEFFREY TAMKIN)

WHEREAS, a verified application for an amendment to Section 10-3-9 of the Zoning Map to amend Planned Development Zone, P-D(150) was filed by Jeffrey Tamkin on June 22, 1979, to allow inclusion of a 72, 896± square foot K-Mart Department Store including an auto service center in the place of smaller shops, on property located on the northwest corner of Sylvan Avenue and Oakdale Road, and

WHEREAS, a public hearing was held on said application by the Planning Commission on July 16, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, the Planning Commission also considered conditions of approval at its meeting on August 6, 1979, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-214 recommending to the Council an amendment to Planned Development Zone, P-D(150), to allow inclusion of a 72, 896± square foot K-Mart Department Store including an auto service center in the place of smaller shops, on property located on the northwest corner of Sylvan Avenue and Oakdale Road, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on September 11, 1979, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto determined that the proposed amendment to Planned Development Zone, P-D(150), to allow inclusion of a 72,896± square foot K-Mart Department Store including an auto service center in the place of smaller shops on property located on the northwest corner of Sylvan Avenue and Oakdale Road should be denied for the following reasons:

1. The General Plan shows a neighborhood shopping center located at the intersection of Oakdale Road and Sylvan Avenue.

2. The proposed use is not a neighborhood shopping center use.

3. A supermarket is the anchor tenant of a neighborhood shopping center under the City's adopted neighborhood shopping center policy. A department/discount store is the anchor tenant of a community shopping center under the City's adopted community shopping center policy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for an amendment to Planned Development Zone, P-D(150), to allow inclusion of a 72,896± square foot K-Mart Department Store including an auto service center in the place of smaller shops, on property located on the northwest corner of Sylvan Avenue and Oakdale Road, be denied for the reasons set forth above, and the recommendation of the Planning Commission, as set forth in its Resolution No. 79-214, is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Section 10-3-9 of the Zoning Map to amend Planned Development Zone, P-D(150), on property located at the northwest corner of Sylvan Avenue and Oakdale Road.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember

Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-266

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (242).

WHEREAS, a verified application for an amendment to Section 14-3-9 of the Zoning Map was filed by Joaquin Construction Company on July 3, 1979, to reclassify from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of Section 14, Township 3 South, Range 9 East, Mt. Diablo Base and Meridian, City of Modesto, State of California, described as follows:

All of Lots 2, 4, 5, and 6 of the Hilkey Subdivision as recorded in Volume 26 of Maps at Page 43, Stanislaus County Records.

Including also the Northerly 30 feet of Merle Avenue immediately adjacent to said Lot 2 and the Southerly 30 feet of Floyd Avenue, immediately adjacent to said Lots 4, 5, and 6.

WHEREAS, after public hearing held on August 6, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. This project conforms to the densities called for in the Orchard Neighborhood Zoning and Development Plan.
2. This project is served by one major and three collector streets.
3. This P-D Zone helps to assure compatibility with adjacent land uses.

WHEREAS, after a public hearing held on September 11, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Joaquin Construction Company for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1870-C.S. on the 11th day of September, 19 79, reclassifying the above-described property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D (242).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (242), is hereby approved in accordance with the plan titled "Orchard Grove", as amended in red on its face, stamped approved by the Planning Commission on August 6, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the Planning and Community Development Department.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the west boundary of the apartments.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the eastern boundaries of Phase I as shown on the plot plan.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That all private streets and parking areas in the condominium areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. That all other parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major building or of decorative masonry as determined by the Director of Planning and Community Development.

8. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

9. That all signs shall comply with the sign requirements of the R-2 (Condominiums) and R-3 (apartments) Zones.

10. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

11. That prior to the filing of a final subdivision map, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

12. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

13. That the applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

14. That second-story windows of units adjacent to and oriented to the easterly and southerly boundary of Phase I (excepting Merle Avenue) shall either be set back 40 feet or more or set back no less than 12 feet with screening provided, landscape or otherwise, to provide visual privacy.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (242):

The construction program be accomplished in four phases as follows:

Phase 1 - to include 238 condominium dwelling units, shall be commenced on of before December 31, 1980, and be completed by December 31, 1982.

Phase 2 - to include 191 condominium dwelling units, shall be commenced on or before December 31, 1982, and be completed by December 31, 1984.

Phase 3 - to include the remaining 219 condominium dwelling units, shall be commenced on or before December 31, 1983, and be completed by December 31, 1985.

Phase 4 - to include the entire 231 apartment dwelling units, shall be commenced on or before December 31, 1984, and be completed by December 31, 1986.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (242) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1972, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Sieglin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lane, Muratore, Sieglin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Bruinsma
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 967

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 14-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO, RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JOAQUIN CONSTRUCTION COMPANY)

WHEREAS, on September 11, 19 79, the City Council introduced Ordinance No. 1879-C.S. giving approval to a project relating to an amendment to Section Map 14-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(242), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 14-3-9 of the Zoning Map to reclassify certain property from Low Density Residential Zone, R-1 to Planned-Development Zone, P-D(242).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-968

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SONJA PENQUITE AND DEBBIE A. JONES FOR LEASE OF THE FORMER DOIDGE PASTURE LOCATED IN FUTURE DRY CREEK PARK AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Sonja Penquite and Debbie A. Jones **for** lease of the former Doidge pasture located in future Dry Creek Park area

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-969

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VALLEY TRACTOR COMPANY TO PROVIDE WATER SERVICE TO PROPERTY AT THE NORTHWEST CORNER OF CROWS LANDING AND WHITMORE ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Valley Tractor Company **for** water service to property at the northwest corner of Crows Landing and Whitmore Roads **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-970

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VALLEY TRACTOR COMPANY TO PROVIDE SEWER SERVICE TO PROPERTY AT THE NORTHWEST CORNER OF CROWS LANDING AND WHITMORE ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Valley Tractor Company **for** sewer service to property at the northwest corner of Crows Landing and Whitmore Roads **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-971

LETTER

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND M.E. GROVER TO HARVEST OLIVES FROM CITY-OWNED TREES LOCATED ON MELLIS PARK, FRANKLIN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto

letter

that the/agreement between the City of Modesto and M.E. Grover

for harvesting olives from City-owned trees located on Mellis Park, Franklin Avenue

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-972

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CHARLES M. DELAIR, SR. TO RENEW LEASE FOR OLD CORPORATION YARD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Charles M. Delair, Sr.

for renewal of lease for old corporation yard, on a month-to-month tenancy

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** September, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-973

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-77 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council amendments to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the Classification Plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATION ABOLISHED. The Position Classification Plan of the City of Modesto is hereby amended to abolish the classification of Police Property Clerk.

SECTION 2. CLASSIFICATION CREATED. The Position Classification Plan of the City of Modesto is further amended to create the classification of Evidence and Property Specialist.

The specifications for the classification of Evidence and Property Specialist, as shown on the attached Exhibit "A", which is hereby made a part of this resolution, is hereby approved and made a part of the Position Classification Plan.

SECTION 3. CLASSIFICATIONS AMENDED. The Position Classification Plan of the City of Modesto is further amended to amend the specifications for the following classifications, as shown on Exhibits "B", and "C", which are attached

hereto and hereby approved and made a part of the Position Classification Plan of the City of Modesto:

Storeskeeper I

Storeskeeper II

Police Records Supervisor

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

EVIDENCE AND PROPERTY SPECIALIST

DEFINITION

Under general supervision, to receive, store, issue, pickup, and deliver varied materials and equipment for the City Police Department; to receive and control evidence and stolen property; to perform inventory control work; and to do related work as required.

EXAMPLES OF DUTIES

Receives, unpacks, counts, and inspects materials to insure accurate quantity and quality; marks material and appropriate stock numbers and places in proper storage area or notifies other personnel of its arrival; issued material and equipment to authorized personnel; makes periodic inventory counts on stored items to insure proper identification and resupply needs; prepares reorder requests; advises appropriate personnel of an obsolete item which should be discontinued; moves and rotates stock to insure usage of old material; computes fuel reports; updates and maintains information cards on equipment and supplies; receives, records, and tags evidence relating to cases under investigation; receives laboratory samples, initials them and indicates the date and time received; maintains lists of laboratory samples by name and case number; mails samples to laboratories for testing; sends notices to officers for release of evidence; releases evidence to owners and destroys some evidence such as narcotics; photographs some evidence before release; receives found property which comes to the department for custody; shows property; clears unclaimed property for proper disposition; lists items to be auctioned; keeps records and files of latent fingerprints; fingerprints applicants and juvenile suspects; issues equipment to officers such as guns, holsters, keys, handcuffs, and helmets; may testify in court regarding the chain-of-evidence; prepares and types purchase requisitions, lists, and other necessary records; posts statistical information to records; fills out a variety of forms; sorts, indexes, records, and files a variety of information; checks records, papers, reports and other information for clerical and arithmetical accuracy and compliance with established standards and procedures; operates a City vehicle to deliver and obtain City property and/or supplies.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

Warehouse Procedures;
Methods of maintaining and taking inventories;
Proper storage and issue of equipment and supplies;
Safe work practices;

and

Ability to:

Adapt to changing safety requirements;
Perform manual labor including lifting and carrying boxes at least thirty (30) pounds weight;
Maintain accurate records in receiving, storing, and issuing equipment and supplies;
Estimate future supply needs and assure adequate stock levels;
Answer questions regarding departmental procedures and programs;
Update and maintain files and information;
Understand and carry out written and oral directions;
Fingerprint individuals and maintain latent fingerprint files;
Establish and maintain cooperative relationships with those contacted during the course of work;

and

Experience and Education:

Any combination of full-time work or vocational training equivalent to one year in warehousing, inventory, and stock control.

DEFINITION

This series specification describes two classes which have responsibility for receiving, storing, issuing, delivering and obtaining varied materials and equipment for the City's warehouse and to do related work as required.

DEFINITION OF LEVELS

Storeskeeper I is the entry and training class in the series. Incumbents perform a variety of routine tasks and are expected to perform with minimum supervision after one year.

Storeskeeper II is a single position class assigned as lead worker for the warehouse. This is the fully qualified working level class, and the incumbent acts in the absence of the Warehouse Supervisor.

EXAMPLES OF DUTIES

Receives, unpacks, counts, and inspects materials to insure accurate quantity and quality; marks material with appropriate stock numbers and issues material and equipment to authorized personnel; makes periodic inventory counts on stores items to insure proper identification and resupply needs; prepares reorder requests; moves and rotates stock to insure usage of old material; computes fuel reports; updates and maintains information cards on supplies; picks up material and equipment from businesses within the City and adjacent areas; delivers equipment and supplies to appropriate users; drives forklifts in the storage and movement of equipment and supplies; sweeps, maintains, cleans, and insures the safety of the warehouse.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

Storeskeeper I
Warehouse procedures;
Methods of maintaining and taking inventories;
Proper storage and issue of supplies;
Safe work practices.

Storeskeeper II

In addition to the above knowledges, principles of supervision and training.

and

wpc
8/29/79

POLICE RECORDS SUPERVISOR

DEFINITION

Under direction, to supervise a large staff of clerical employees involved in preparing, updating, and maintaining a variety of police records, files, and reports; to perform a variety of clerical duties within the Records Division of the Police Department; and to do related work as required.

EXAMPLES OF DUTIES

Plans, organizes, supervises, and coordinates the work of a large number of employees involved in preparing, updating, and maintaining a variety of police records, files, and reports; prepares work schedules and directs assignments; completes performance evaluations; trains and instructs personnel on new procedures; reviews statistical reports, daily police reports, computer printouts, teletype reports, and warrants; reviews and routes incoming correspondence; independently composes correspondence and prepares reports; has responsibility for the establishment of data processing methods of processing records; establishes input formats; reviews and evaluates outputs; makes recommendations on the improvement of data processing procedures; analyzes present record keeping procedures and makes recommendations for the improvement and increased efficiency of those procedures; revises old forms and establishes new forms for the processing of records; oversees the proper operation and use of the CLETS teletype system; assists with the coordination of record keeping functions with other departmental operations; interviews and evaluates applicants for vacant positions; prepares a variety of reports.

SPECIAL REQUIREMENTS

Possession of an appropriate California operator's license issued by the State Department of Motor Vehicles.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

Operations and functions of the Police Department;
Police record keeping operations, functions, methods, procedures and purposes;
Applications of data processing to record keeping functions;
Business letter writing and forms;
Correct English usage, spelling, grammar, and punctuation;
Modern filing and indexing methods;
Basic methods used in financial and statistical record keeping;
Modern office methods and procedures;
Principles of supervision and training;

and

wpc
9/5/79

EXHIBIT "C"

Ability to:

Plan, organize, supervise, and coordinate the work of a police records and clerical unit;
Assure the accuracy and completeness of police records, files, and reports;
Train and evaluate the work of subordinates;
Assure the efficient utilization of data processing methods;
Make recommendations on the improvements of record keeping procedures;
Interpret and apply policies, laws, rules, and regulations;
Perform a variety of clerical duties;
Compose correspondence on own initiative;
Gather information and prepare reports;
Make arithmetical calculations with speed and accuracy;
Establish and maintain cooperative relationships with those contacted during the course of work;
Type at a speed of at least 45 net words per minute from clear copy;

and

Experience:

Four years of responsible full-time clerical or secretarial experience, preferably including experience working with police records and reports.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-974

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 77-660 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 77-660. Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1977-78" attached to Resolution No. 77-660, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1977-78", which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Police Property Clerk and adds the classification of Evidence and Property Specialist to Range 118.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

(Effective 7-3-79, Amended 9-11-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
126.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
18.5	Animal Control Officer
12.0	Animal Control Trainee
124.5	Arborist
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician
122.5	Assistant Electrician
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
116.0	Assistant Shop Supervisor
[illegible]	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
126.0	Construction Inspector
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist

EXHIBIT "F"

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
116.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
423.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant (Risk Manager)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
113.5	Office Services Clerk
122.5	Office Services Supervisor
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
433.0	Parks and Recreation Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
426.0	Plan Review Engineer I
429.0	Plan Review Engineer II
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
426.0	Programmer Analyst
430.0	Property Agent
425.0	Public Services Inspector
114.5	Public Services Trainee
122.5	Public Works Leadworker

No.	Title of Classification
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
124.0	Purchasing Assistant
429.0	Purchasing Officer
426.0	Recreation Supervisor
117.5	Recreation Program Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
426.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
423.5	Social Services Coordinator
429.0	Shop Supervisor
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector

No.	Title of Classification
113.5	Telephone Operator-Receptionist
432.0	Transit Manager
118.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
423.5	Zoning Inspector

MODESTO CITY COUNCIL
RESOLUTION NO. 79-975

A RESOLUTION ACCEPTING IMPROVEMENTS IN HILLSBORO NORTH SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Transworld Financial Corp. , subdividers of Hillsboro North Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 224,000.00 and $ 112,000.00 respectively to guarantee improvements in Hillsboro North Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated September 5, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Hillsboro North Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $ 224,000.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 112,000.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September , 1979 by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-976

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT ADDITIONAL GRANT OFFER FROM UMTA FOR TRANSIT OPERATIONS DURING FISCAL YEAR 1977-78

WHEREAS, the original operating grant awarded to the City by UMTA was for $123,150, for fiscal year 1977-78: and

WHEREAS, the City has been awarded an additional $16,514 grant for transit operations during fiscal year 1977-78, requiring only that the City Council formally accept the amended grant offer and that staff be authorized to execute the grant contracts with UMTA.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the additional $16,514 grant offer from UMTA for transit operations be and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of the additional grant offer by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-977

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATION FOR NEECE DRIVE GUARD RAIL REPLACEMENT PROJECT

WHEREAS, the City of Modesto has acquired the required right of way needed for the Neece Drive guard rail replacement project; and

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the replacement of the Neece Drive guard rail.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of right of way acquisition for the Neece Drive guard rail replacement project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian,Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Maxine Coyle
MORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-978

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PROPOSED TRAFFIC SIGNALS AT COLLEGE/BOWEN

WHEREAS, the City of Modesto has acquired the required right of way needed for the proposed traffic signals at College/Bowen; and

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the proposed traffic signals at College/Bowen.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of the right of way acquisition for the proposed traffic signals at College/Bowen project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 979

A RESOLUTION ESTABLISHING CHARGES AND FEES FOR ACTIVITIES AND SERVICES AT THE MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD, AND RESCINDING RESOLUTION NO. 79-741

WHEREAS, Section 7-3.401 of the Modesto Municipal Code authorizes the Council, by resolution, to establish charges and fees for activities and services at the Modesto City-County Airport/Harry Sham Field,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. HANGARS. Rental charges for the rental of hangars at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) T-Hangars:

Hangar No. A	$39.00 per unit per month.
Hangar No. B	$41.00 per unit per month.
Hangar No. C	$41.00 per unit per month.
Hangar No. D	$41.00 per unit per month.
Hangar No. E	$45.00 per unit per month.
Hangar No. F	$45.00 per unit per month.
Hangar No. G	$53.00 per unit per month.
Hangar No. H	$53.00 per unit per month.

A five (5%) percent discount will be made in any of the above rental charges when a year's lease is entered into and the year's rental charges are paid in advance.

wpc

(b) Storage Hangars:

Hangar No. 1 . . . . . $340.00 per month.

Hangar No. 2 . . . . . $169.00 per month.

Hangar No. 3 . . . . . $176.00 per month.

Hangar No. 4 . . . . . $208.00 per month.

Hangar No. 5 . . . . . $264.00 per month.

Hangar No. 6 . . . . . $160.00 per month.

SECTION 2. TIE DOWN FEES. Tie down charges and fees at the Modesto City-County Airport/Harry Sham Field are hereby established as follows, payable in advance:

(a) Tail-in Tie-Down - Permanent, light single engine (under 12,500 lbs) $15 per month. (FBO rates $11 per month.)

(b) Tail-in Tie-Down - Permanent, light multi-engine (under 12,500 lbs) $22 per month. (FBO rates $17 per month.)

(c) Taxi-in Tie-Down - Permanent, light single and multi-engine aircraft (under 12,500 lbs) $30 per month.

(d) Taxi-in Tie-Down - Permanent, large multi-engine (over 12,500 lbs) $33 per month except large four-engine.

(e) Taxi-in Tie-Down - Permanent, large four-engine aircraft (over 12,500 lbs) $44 per month.

(f) Taxi-in Tie-Down - Transient, light single-engine aircraft (under 12,500 lbs) $2 per day.

(g) Taxi-in Tie-Down - Transient, light multi-engine aircraft (under 12,500 lbs) $4 per day.

(h) Taxi-in Tie-Down - Transient, large multi-engine aircraft (over 12,500 lbs) $6 per day.

(i) Taxi-in Tie-Down - Transient, large four-engine aircraft (over 12,500 lbs) $8 per day.

A five (5%) percent discount will be made in the rental charges set forth in subparagraphs (a), (b), (c), and (d) above when a year's lease is entered into and the year's rental charges are paid in advance.

Overnight tie downs of aircraft belonging to or in the custody or possession of lessee shall be subject to the normal tie down charge as specified by this section.

SECTION 3. OFFICE SPACE. The charge for office space at the Modesto City-County Airport/Harry Sham Field is hereby established as follows:

(a)	Office Building No. 1	$275.00 per month.
(b)	Office Building No. 2, Suite A	$143.00 per month.
(c)	Office Building No. 2, Suite B	$77.00 per month.

SECTION 4. NONSCHEDULED TRANSIENT AIRCRAFT CARRYING PASSENGERS AND/OR CARGO FOR HIRE. Aircraft landing at the Modesto City-County Airport/Harry Sham Field shall pay a landing fee as follows:

(a) All light single and multi-engine aircraft, $5 per landing.

(b) All large single and multi-engine aircraft, $.30 per 1,000 pounds gross weight, but not less than $5 per landing.

(c) All other aircraft not based at the Modesto City-County Airport/Harry Sham Field, owned and operated by individuals, companies and corporations carrying their own products shall not be charged for the first two (2) trips per calendar month; all other trips for the same calendar month shall be charged for at the same rates applied to non-scheduled aircraft carrying cargo for hire.

(d) No landing fee shall be charged for any aircraft which lands at the airport due to any mechanical or other emergency, except weather, provided that such emergency is reported to the Airport Control Tower prior to landing.

SECTION 5. PERMANENTLY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise permanently based at the Modesto City-County Airport/Harry Sham Field shall pay to the City the sum of Two Hundred Twenty and no/100ths ($220.00)

Dollars per year, payable in advance, for the privilege of engaging in business in the City of Modesto and on the Airport. Said sum shall be payable on a fiscal year basis.

If said business is commenced after the beginning of the fiscal year, the fee provided above shall be prorated as of the date of commencement of said business.

SECTION 6. TEMPORARILY BASED COMMERCIAL SERVICES. Any person engaging in a commercial enterprise, temporarily based at the Modesto City-County Airport/ Harry Sham Field, shall pay to the City a license fee in the sum of Two Hundred and no/100ths ($200.00) Dollars, payable in advance.

Each such operator shall also pay to the City an additional sum of Ninety and no/100ths ($90.00) Dollars per month, or any portion thereof, payable in advance, for the privilege of using the Airport and its facilities.

SECTION 7. PENALTIES. A five (5%) percent penalty charge shall be made on any of the charges and fees established by this resolution when such charges and fees are not paid within thirty (30) days after they are due and payable.

SECTION 8. EFFECTIVE DATE. This resolution shall go into effect and be in full force and operation on and after September 1, 1979.

SECTION 9. REPEALS. Resolution No. 79-741 adopted July 17, 1979, is hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September,

1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Bright

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-980

A RESOLUTION APPROVING AN AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF THE MODESTO VERDE HOMEOWNERS ASSOCIATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the amendment to the Declaration of Covenants, Conditions and Restrictions of the Modesto Verde Homeowners Association regarding the recording of the annual dues assessments and the giving of notice of default in the payment thereof, as agreed upon at the Council meeting of September 11, 1979, be and it is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Bright

Norrine Coyle

ATTEST: _____

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-980 a.

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR REROOFING OF POLICE STATION

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for reroofing the Police Station **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 2, 1979, at 11:15 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** September, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-981

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR A REBID OF THE REPAIR OF THE URETHANE FOAM INSTALLATION ON THE PRIMARY DIGESTER LOCATED AT THE CITY OF MODESTO WATER QUALITY CONTROL PLANT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the repair of the urethane foam installation on the primary digester **copies of which are on file, are hereby accepted and approved.**

SECTION 2. **The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on** October 2, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. **After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** September, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-982

A RESOLUTION ACCEPTING THE BID OF DUKE EQUIPMENT AND IRRIGATION, INC. FOR FURNISHING ONE 72" ROTARY MOWER

WHEREAS, Resolution No. 79-654,adopted by the Council of the City of Modesto on July 3, 1979 , approved the plans and specifications for the purchase of one 72" rotary mower and authorized the calling for bids; and

WHEREAS, the bids received for the 72" rotary mower were opened at 2:00 p.m. on July 24, 1979 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Duke Equipment and Irrigation, Inc. in the amount of $6,971.87 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Duke Equipment and Irrigation, Inc. in the amount of $6,971.87 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-983

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE INC. FOR THE REPLACEMENT OF WATERLINES IN BLOCKS 9013 AND 9019

WHEREAS, Resolution No. 79-861, adopted by the Council of the City of Modesto on August 21, 1979, approved the plans and specifications for the replacement of waterlines in Blocks 9013 and 9019 and authorized the calling for bids; and

WHEREAS, the bids received for the replacement of waterlines in Blocks 9013 and 9019 were opened at 11:00 a.m. on September 11, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline Inc. in the amount of $28,377.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline Inc. in the amount of $28,377.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember , who moved its adoption, which motion being duly seconded by Councilmember , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-984

A RESOLUTION ACCEPTING THE BID OF JOE MARTIN PIPELINE, INC. FOR THE REPLACEMENT OF WATERLINES IN IMPERIAL AVENUE AND GUTHRIE STREET

WHEREAS, Resolution No.79-862, adopted by the Council of the City of Modesto on August 21, 1979 , approved the plans and specifications for the replacement of waterlines in Imperial Avenue and Guthrie Street and authorized the calling for bids; and

WHEREAS, the bids received for the replacement of waterlines in Imperial Avenue and Guthrie Street were opened at 11:05 a.m. on September 11,1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Joe Martin Pipeline, Inc. in the amount of $67,038.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Joe Martin Pipeline, Inc. in the amount of $67,038.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-985

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION AT FLOYD AND OAKDALE ROADS AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension at Floyd and Oakdale Roads has been completed by Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated May 8, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension at Floyd and Oakdale Roads be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $41,166.00 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

PROJECT NO.:_____

MODESTO CITY COUNCIL
RESOLUTION NO. 79-986

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 12953) RUMBLE/WINDSOR COURT - HAMPSHIRE/WINDSOR LANE

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18thday of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

BLOCK 12953 - Rumble/Windsor Court - Hampshire/Windsor Lane

Jess W. & Mildred E. Ayres	Lot 6
Charles E. & Patricia A. Kilgore	Lot 7
Charles M. & Randa R. Comstock	Lot 8
Ray W. & Mary D. Irwin	Lot 9
Glenna Arnett	Lot 10
John E. & Terese A. Corrin	Lot 11
Joseph F. & Sharon Benson	Lot 12
Larry L. & Margret C. Zabel	Lot 13
Samuel & Clara D. Roberts	Lot 14
Elizabeth Zakarian	Lot 19
Paul L. & Mariesta B. Martelli	Lot 20

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Elizabeth Zakarian 526-6266

ADDRESS: 2608 Windsor Court, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 19 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Mpas, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2819-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

110 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Jess W. & Mildred E. Ayres

ADDRESS: 2900 Hampshire Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 of Block 12053 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records..

(Stanislaus County Assessor's Parcel No. 002-08 013-2806-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100 lineal feet of 2" A.C. resurfacing abutting said property in Block 12053 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Charles E. & Patricia A. Kilgore

ADDRESS: 2904 Hampshire Lane, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2807-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

32 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Charles M. & Randa R. Constock

ADDRESS: 704 Rumble Road, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 9 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2808-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Ray W. & Mary D. Irwin

ADDRESS: 708 Rumble Rd, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 9 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 013-2809-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Glenna Arnett

ADDRESS: 712 Rumble Road, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 10 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2810-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: John E. & Terese A. Corrin

ADDRESS: 800 Rumble Rd., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 11 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2811-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Joseph F. & Sharon Benson

ADDRESS: 804 Rumble Rd., Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 12 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2812-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

77 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Larry L. & Margret C. Zabel

ADDRESS: 2913 Windsor Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 13 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2813-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

93.86 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Samuel & Clara D. Roberts

ADDRESS: 2909 Windsor Lane, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 14 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2814-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

100.00 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Paul L.+Mariesta B. Martelli

ADDRESS: 2313 Windsor Court, Modesto, CA 95350

Who is the owner of record of property described as follows:

Lot 20 of Block 12953 of Sherwood Manor as per map filed July 20, 1959 in Volume 19 of Maps, Page 23, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 013-2820-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

200.45 lineal feet of 2" A.C. resurfacing abutting said property in Block 12953 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

PROJECT NO. 7

MODESTO CITY COUNCIL
RESOLUTION NO. 79-987

A RESOLUTION ORDERING THE WORK OF CONSTRUCTION OF ALLEYS IN CERTAIN BLOCKS IN THE CITY OF MODESTO (Block No. 233 - BONITA/LAS FLORES - LA SOMBRA/LALOMA

WHEREAS, Chapter 27 of Part 3 of Division 7 of Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required; and

WHEREAS, the Superintendent of Streets did, on July 27 19 79 , order the construction of alleys in certain blocks in the City of Modesto, giving notice requiring the construction of such improvements; and

WHEREAS, the Superintendent of Streets did set the 11th day of September , 19 79, at 7:30 o'clock p.m., in the Council Chambers, as the time and place for a hearing for the purpose of passing upon objections or protests, if any, which may be raised by the property owners or other interested persons relating to the proposed work; and

WHEREAS, the Superintendent of Streets has caused notices to be posted and mailed as required by the Streets and Highways Code; and

WHEREAS, at the time set for hearing the protests and objections to the proposed work, the said Council proceeded to hear the same.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. All protests and objections of any kind or nature whatsoever to the proposed work as set forth in the notices which are attached hereto, and incorporated by reference herein, are hereby overruled or denied.

SECTION 2. The Superintendent of Streets is hereby directed to proceed with the project as to the properties described in the attached notices in accordance with the provisions of Chapter 27, Part 3, of Division 7 of the Streets and Highways Code of the State of California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

BLOCK 233 - Bonita/Las Flores - La Sombra/LaLoma

Lucienne E. Frad	Lot 1
Melvin A. & Thelma L. Taylor	Lot 2
Francis M. & Lillian G. Christiansen	Lot 3
James R. & Denise Abbey	Lot 4
Leah Harmon Wieland	Lot 5
Frank M., Jr. & Andre Wilson	Lot 6
Pauline P. Stanley	Lot 7, 8
F.L. & Marie Richt	Lot 9
Sam & Esther M. Neesan	Lot 10
Cecil E. & Mileta Kilroy	Lot 11

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Lucienne E. Frad

ADDRESS: P.O. Box 976, Modesto, CA 95353

Who is the owner of record of property described as follows:

Lot 1 of Block 233 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0426-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Melvin A. & Thelma L. Taylor

ADDRESS: 306 Bonita Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 2 of Block 233 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0427-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

75 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Francis M. & Lillian G. Christiansen

ADDRESS: 128 Magnolia Avenue, Modesto, CA 95354

Who is the owner of record of property described as follows:

Lot 3 Block 233 of City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0423-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: James R. & Denise Abbey

ADDRESS: 316 Bonita Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 4 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0429-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Leah Harmon Wieland

ADDRESS: 320 Bonita Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 5 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0430-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

63 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Frank M., Jr. & Andre Wilson

ADDRESS: 324 Bonita Avenue, Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 6 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0431-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

108.43 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Pauline P. Stanley

ADDRESS: 315 Las Flores Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 7 & 8 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Reocrds.

(Stanislaus County Assessor's Parcel No. 002-01 107-0432-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

203.01 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: F.L. & Marie Richt

ADDRESS: 311 Las Flores Ave., Modesto, ca 95351

Who is the owner of record of property described as follows:

Lot 9 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0433-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

64.42 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Sam & Esther M. Neesan

ADDRESS: 305 Los Flores Ave., Modesto, Ca 95351

Who is the owner of record of property described as follows:

Lot 10 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Reocrds.

(Stanislaus County Assessor's Parcel No. 002-01 107-0434-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

NOTICE

OF REQUIRED ALLEY IMPROVEMENT AND HEARING

NOTICE IS HEREBY GIVEN TO:

NAME: Cecil E. & Mileta Kilroy

ADDRESS: 301 Las Flores Ave., Modesto, CA 95351

Who is the owner of record of property described as follows:

Lot 11 of Block 233 of the City of Modesto as per map filed December 21, 1942 in Volume 15 of Maps, Page 233, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 107-0435-001)

That a petition signed by over sixty (60%) percent of the property owners in your block, requesting the improvement of the alley abutting your property has been filed with the City Clerk. Pursuant to the requirement of California Streets and Highways Code Section 5876 and 5879, the Superintendent of Streets of the City of Modesto hereby notifies you to construct or cause to be constructed certain improvements, a description of said improvements, the manner of their construction, and the materials to be used , to be as specified below:

70 lineal feet of 2" A.C. resurfacing abutting said property in Block 233 in the City of Modesto, all of said construction to be in accordance with City of Modesto Standard Specifications.

The City Council will hear and pass upon objections or protests, if any, which may be raised by any property owner or other interested persons to said construction at 7:30 p.m. on the 11th day of September, 1979, in the City Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California.

If construction is not commenced within sixty (60) days, or if construction is not diligently and without interruption prosecuted to completion, the Superintendent of Streets shall cause the construction to be done and the cost of the same shall be a lien on the property.

Dated the 27th day of July, 1979.

Ross Campbell

Ross Campbell
Superintendent of Streets
City of Modesto

MODESTO CITY COUNCIL
RESOLUTION NO. 79-988

A RESOLUTION APPROVING THE FINAL MAP OF THE VICTOR ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Lasater and Davis Builder, Inc., a corporation

is (are) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.060 acres, known as the Victor Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 20th day of December, 1977, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Victor Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-989

A RESOLUTION APPROVING THE FINAL MAP OF THE FIG GARDENS NO. 2 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, James R. Corn Enterprises, Inc., a corporation, is possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 0.287 acres, known as the Fig Gardens No. 2 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the City Planning Commission on the 1st day of May, 1979, and

WHEREAS, the final map of said tract has been approved by the Secretary of the City Planning Commission, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Fig Gardens No. 2 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang, who moved its adoption, which

motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-990

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LUCY TERRA FOR WATER SERVICE TO PROPERTY OUTSIDE OF CITY LIMITS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lucy Terra

for water service to property outside of the City limits at 1001 Franklin Street, located on the west side of Franklin Street between California and Briggs **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** September, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-991

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WALTER PERRIN WESSON FOR THE ACQUISITION OF 2.51± ACRES OF LAND NEEDED FOR THE PARK SITE IN THE NORTHWEST MCHENRY NEIGHBORHOOD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Walter Perrin Wesson for the acquisition of 2.51± acres of land needed for the park site in the Northwest McHenry Neighborhood is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-992

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN MUIR INSTITUTE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John Muir Institute for the fourth year of research to be undertaken to control, with minimal use of chemical insecticides, insect pests on ornamental trees

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** September, 1979, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-993

A RESOLUTION APPROVING ANNUAL BUDGET FOR THE GEER ROAD SANITARY LANDFILL, FISCAL YEAR 1979-80

WHEREAS, an agreement between the City of Modesto and the County of Stanislaus dated August 17, 1970, provides that the annual budget for the operation of the Geer Road Sanitary Landfill shall be approved by both the City and County legislative bodies; and

WHEREAS, the County of Stanislaus has submitted a proposed budget for 1979-80 totaling $691,119; and

WHEREAS, the proposed budget has been reviewed by both the Public Works and Finance Department staff personnel and recommendation made that the budget be approved.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed annual budget for the operation of the Geer Road Sanitary Landfill for 1979-80 fiscal year in the amount of $691,119 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-994

A RESOLUTION APPROVING THE REQUEST OF LOEB'S DEPARTMENT STORE FOR REFUND FOR OVERPAYMENT OF THEIR CITY BUSINESS LICENSE TAX IN THE AMOUNT OF $532.53

BE IT RESOLVED by the Council of the City of Modesto that the request of Loeb's Department Store for refund of $532.53 for overpayment of their business license tax for the 1977 and 1978 calendar years and for the March quarter of 1979 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-995

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 24-3-9 OF THE ZONING MAP (MAWCO DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 4, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 24-3-9 of the Zoning Map to rezone from R-1 to R-2 and R-3 property located at the southwest corner of Briggsmore Avenue and Claus Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-233 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 24-3-9 of the Zoning Map be set for October 16, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Northeast one quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of "Parcel 1" as shown on that certain map filed in Volume 12 of Parcel Maps, at Page 91, Stanislaus County Records; thence North 89° 35' 00" East along the North line of said "Parcel 1" and along the South line of Briggsmore Avenue, as shown on said map, a distance of 250.00 feet; thence South 0° 48' 44" East along a line parallel with distant 250.00 feet Northeasterly, from the West line of said "Parcel 1" and "Parcel 2", as shown on said map, measured at right angles, a distance of 637.07 feet; thence South 89° 19' 54" East along a line parallel with and distant 125.00 feet Northeasterly, measured at right angles, from the South line of said "Parcel 2", a distance of 405.40 feet to the intersection with the centerline of Claus Road, as shown on said map; thence South 0° 47' 00" East along said centerline, a distance of 125.00 feet to the intersection with the Easterly prolongation of the South line of said "Parcel 2"; thence North 89° 19' 54" West along said Easterly prolonged line and along said South line of "Parcel 2", a distance of 655.41 feet to the Southwest corner of said "Parcel 2"; thence North 0° 48' 44" West along the West line of said "Parcels 1 and 2", a distance of 757.34 feet to the point of beginning.

Including also all that portion of Briggsmore Avenue and the Modesto Irrigation Districts Lateral No. 3 that is situated between the North line of said Section 24 and the South line of Briggsmore Avenue.
Contains 5.37 Ac. net

R-1 to R-3
ALL that certain real property situate in a portion of the Northeast one quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of "Parcel 1" as shown on that certain map filed in Volume 12 of Parcel Maps, at Page 91, Stanislaus County Records; thence North 89° 35' 00" East along the North line of said "Parcel 1" and along the South line of Briggsmore Avenue, as shown on said map, a distance of 250.00 feet to the point of beginning of the description; thence continuing along last named line North 89° 35' 00" East, a distance of 405.59 feet to the intersection with the centerline of Claus Road, as shown on said map; thence South 0° 47' 00" East, along said centerline, a distance of 644.75 feet to the intersection with the Easterly prolongation of a line parallel with and distant 125.00 feet Northeasterly, measured at right angles, from the South line of "Parcel 2", as shown on said map; thence North 89° 19' 54" West along said Easterly prolonged line and said parallel line, a distance of 405.40 feet; thence North 0° 48' 44" West along a line parallel with and distant 250.00 feet Northeasterly, measured at right angles, from the West line of said "Parcels 1 and 2", a distance of 637.07 feet to the point of beginning.

Including all that portion of Briggsmore Avenue, Modesto Irrigation Districts Lateral No. 3 and Claus Road that is situated between the North line of the above described property and the North line of said Section 24.

Contains 5.22 Ac. net

SCHEDULE "A"
MAWCO DEVELOPMENT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-996

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (DELTON & ELSIE PEEBLER, ET AL)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 4, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-O property located on the west side of Coffee Road, south of Floyd Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-234 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section of the Zoning Map be set for October 16, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Lot 21 of COFFEE COLONY in Section 16, Township 3 South, Range 9 East, M.D.B. & M., and as shown filed in Volume 2 of Maps, at page 22 on January 13, 1906, in the Stanislaus County Records and described as follows:

All of the Easterly 160.00 feet of the Northerly 276.80 feet of the Southerly 808.74 feet of said Lot 21.

Including also, all that portion of Coffee Road situated between the East line of the above described portion of said Lot 21 and the centerline of Coffee Road.

SCHEDULE "A"
Delton Peebler

MODESTO CITY COUNCIL
RESOLUTION NO. 79-997

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO PLANNED DEVELOPMENT ZONE, P-D(76) VIRGINIA BERG

WHEREAS, the Modesto City Planning Commission held a public hearing on September 4, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Planned Development Zone, P-D(76) to allow a 24-unit condominium conversion, property located on the southeast corner of Lucern Avenue and El Vecino Avenue; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-232 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Planned Development Zone, P-D(76) be set for October 16, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-998

A RESOLUTION APPOINTING MEMBER OF THE PLANNING COMMISSION (BALVINO IRIZARRY)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Planning Commission for the respective term as indicated:

Balvino Irizarry
1341 Sharonwood Avenue
Modesto, Ca. 95355
Term to expire 1/1/82

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Planning Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of September, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-999

A RESOLUTION OF INTENTION TO AMEND SECTION 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO RECLASSIFY CERTAIN PROPERTY, AND REFERRING SAID MATTER TO THE PLANNING COMMISSION FOR CONSIDERATION AND RECOMMENDATION. (COUNCIL INITIATED) (PROPERTY LOCATED ON COFFEE ROAD NEAR SYLVAN MEADOWS DRIVE IN NORTHEAST MODESTO)

BE IT RESOLVED by the Council of the City of Modesto that proceedings are hereby initiated to amend Section 10-3-9 of the Zoning Map to reclassify from Medium High Density Residential Zone, R-3, to Medium Density Residential Zone, R-2, the following described property:

All that portion of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northwest corner of Lot 1 in Block 12575 in Sylvan Meadows East No. 1 as shown on the subdivision map filed July 9, 1974, in Volume 25 of maps at Page 8 in the Stanislaus County records, also being the point of beginning; thence North 89° 23' 27" East 376 feet along the North line of Lots 1, 2, 3, and 4 in Block 12575 in said subdivision; thence North 0° 48' West 259.00 feet along the West line of Lots 5 and 8 in said Block 12575; thence South 89° 23' 27" West 426.00 feet to the West line of Section 10; thence South 0° 48' East 259.00 feet along the said section line to the point of intersection with Westerly extension of the North line of Lot 1 in said Block 12575; thence North 89° 23' 27" East 50.00 feet along said extension to the point of beginning.

BE IT FURTHER RESOLVED that the proceedings to reclassify the above described property from Medium High Density Residential Zone, R-3, to Medium Density Residential Zone, R-2, are hereby referred to the Planning Commission at its regular meeting of November 5, 1979, at 7:30 o'clock p.m. for a public hearing in the Council Chambers, City Hall, 801 11th Street, Modesto, California.

The foregoing resolution was introduced at an adjourned regular meeting

of the Council of the City of Modesto held on the 27th day of September 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1000

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY VALLEY TRACTOR COMPANY TO A DECISION OF THE PLANNING COMMISSION CONCERNING A SIGN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 23, 1979 , at 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Valley Tractor Company to a decision of the Planning Commission concerning a sign.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1001

A RESOLUTION GRANTING AN EXCEPTION TO THE STANDARD SPECIFICATIONS OF THE CITY OF MODESTO FOR CURBS AND SIDEWALKS ON I AND 11TH STREETS. (FRANCIS R. AND JOAN M. RUGGIERI, DOROTHY GIAHOS AND THE ESTATE OF TOM GIAHOS, H. FRANK AND ANN L. DICKASON)

WHEREAS, Sections 7-1.201 and 7-1.301 of the Modesto Municipal Code provide that the Council shall approve standard drawings and specifications for sidewalks in the City of Modesto, and

WHEREAS, The Council has adopted Standard Specifications for curbs and sidewalks, and

WHEREAS, Francis R. and Joan M. Ruggieri, Dorothy Giahos and the Estate of Tom Giahos, and H. Frank and Ann L. Dickason (hereinafter referred to as applicants) have requested an exception from said Standard Specifications to allow them to overlay with Futura Stone the existing curbs and sidewalks in front of buildings which they own on I and 11th Streets in the City of Modesto, and

WHEREAS, this Council has determined that the requested exception should be granted, subject to certain conditions,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an exception is granted hereby to the Standard Specification of the City of Modesto for curbs and sidewalks to allow Francis R. and Joan M. Ruggieri, Dorothy Giahos and the Estate of Tom Giahos, and H. Frank and Ann L. Dickason to overlay the existing curbs and sidewalks located on the 50 feet in front of 914-928 11th Street, the 50 feet in front of 908-912 11th Street, the 100 feet in front of 904 11th Street and the 140 feet in front of 1101, 1105, and 1107 11th Street with Futura Stone subject to the following conditions:

(a) The applicants shall indemnify and hold the City and its officers, agents and employees free and harmless from any and all damages, costs, charges or liabilities of any kind or character that may arise out of, relate to, or in any way be connected with the installation, maintenance and use of Futura Stone on the above described sidewalks and curbs.

(b) The applicants shall defend, at their own cost and expense, any and all lawsuits that may arise out of or be connected in any way with the exercise of the installation, maintenance and use of Futura Stone on the above described sidewalks and curbs.

(c) The applicants shall comply with all laws, ordinances, and regulations of the City of Modesto, County of Stanislaus, and State of California that relate to or affect the rights granted by this resolution.

(d) The applicants shall install and maintaint the Futura Stone overlay in such a manner that it shall not become a nuisance or be hazardous to the public using the above described sidewalks or curbs and the adjacent street.

(e) The applicants shall install and maintain the Futura Stone on the above described sidewalks and curbs to the satisfaction of the Director of Public Works.

(f) The provisions of this resolution shall be binding on all successors, assigns and heirs of the applicants.

(g) The rights and privileges granted by this resolution may be revoked at any time by the City Council.

BE IT FURTHER RESOLVED that the City Clerk shall furnish the applicants with a copy of this resolution. The applicants shall file a written acceptance

of this resolution and the conditions set forth herein with the City Clerk, and no right shall be conferred hereby until said acceptance is filed.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Muratore

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1002

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF POLICE BUILDING WHEEL CHAIR ACCESS RAMP

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Police building wheel chair access ramp **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 9, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C Hall

JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1003

A RESOLUTION ACCEPTING THE BID OF DOW HAMMOND FUR FURNISHING ONE SEWER CLEANER TRUCK

WHEREAS, Resolution No. 79-780, adopted by the Council of the City of Modesto on August 7, 1979 , approved the plans and specifications for the purchase of one sewer cleaner truck and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of one sewer cleaner truck were opened at 2:15 p.m. on September 4, 1979 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Dow Hammond in the amount of $94,105.74 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Dow Hammond in the amount of $94,105.74 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 1979 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall

JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1004

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR THE INSTALLATION OF 500' OF 10" WATER MAIN AT CLAUS AND ORANGEBURG

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, informal bids were opened in September 18, 1979, for the installation of 500' of 10" water main at Claus and Orangeburg; and

WHEREAS, the bid of Jack Forcade in the amount of $4,950 is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,950 to Jack Forcade for the installation of 500' of 10" water main at Claus and Orangeburg is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1005

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING COMPANY FOR RESURFACING CITY STREETS 1979-80, PHASE I

WHEREAS, Resolution No. 79-882, adopted by the Council of the City of Modesto on August 28, 1979, approved the plans and specifications for the resurfacing of City streets 1979-80, Phase I and authorized the calling for bids; and

WHEREAS, the bids received for the resurfacing of City streets, 1979-80, Phase I were opened at 11:00 a.m. on September 18, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving Company in the amount of $247,994.20 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving Company in the amount of $247,994.20 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 19 79, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C Hall

JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1006

A RESOLUTION ACCEPTING THE BID OF WAYNE FREGIAN CONSTRUCTION TO CONSTRUCT SUB-TRUNK SEWER IN HONEY CREEK ROAD

WHEREAS, Resolution No.79-884, adopted by the Council of the City of Modesto on August 28, 1979 , approved the plans and specifications for the construction of subtrunk sewer in Honey Creek Road and authorized the calling for bids; and

WHEREAS, the bids received for the construction of subtrunk sewer in Honey Creek Road were opened at 11:10 a.m. on September 18, 1979,and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Wayne Fregian Construction in the amount of $37,343.15 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Wayne Fregian Construction in the amount of $37,343.15 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 1979 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1007

A RESOLUTION ACCEPTING THE BID OF GEORGE REED, INC, FOR RESIDENTIAL ALLEY RECONSTRUCTION - PROJECT NO. 7

WHEREAS, Resolution No.79-906, adopted by the Council of the City of Modesto on September 4, 1979 , approved the plans and specifications for the residential alley reconstruction - Project No. 7
and authorized the calling for bids; and

WHEREAS, the bids received for the residential alley reconstruction - Project No. 7
were opened at 11:05 a.m. on September 18, 1979,and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of George Reed, Inc. in the amount of $ 86,400
be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of George Reed, Inc. in the amount of $86,400
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 1979 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall

JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1008

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION ON SCENIC DRIVE BETWEEN EASTRIDGE DRIVE AND FONTANA COURT AND ON RIVERSIDE DRIVE AND YOSEMITE BOULEVARD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** waterline extension on Scenic Drive between Eastridge Drive and Fontana Court and on Riverside Drive and Yosemite Boulevard **has been completed by** Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated September 5, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension on Scenic Dr. between Eastridge Dr. and Fontana Ct. and on Riverside Dr. and Yosemite Boulevard, be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $39,283 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1009

A RESOLUTION CANCELLING THE SPECIAL SEWER TRUNK EXTENSION ADVISORY ELECTION CALLED FOR NOVEMBER 6, 1979, AND RESCINDING RESOLUTIONS NO. 79-799, 79-800 AND 79-801, AND SUPERSEDING RESOLUTION NO. 79-941

WHEREAS, on August 7, 1979, this Council adopted Resolution No. 79-799 calling a Special Sewer Trunk Extension Advisory Election by the voters of the City of Modesto and Resolution No. 79-800 requesting the Board of Supervisors of Stanislaus County to provide for consolidation of said Special Sewer Trunk Extension Advisory Election with the general election to be held on November 6, 1979, and Resolution No. 79-801 transmitting a copy of the proposed advisory measure to be voted on at said Special Sewer Trunk Extension Advisory Election to the City Attorney for preparation of an impartial analysis, and

WHEREAS, said proposed advisory measure was for the purpose of advising this Council as to whether or not it should approve the extension of the existing sewer trunk line in Yosemite Boulevard from Lincoln Avenue east to Claus Road and

WHEREAS, questions have arisen regarding sewer service to the City of Hughson and the possibility of tying Hughson's sewer system into Modesto's sewer system through the Yosemite Sewer Trunk Line, and

WHEREAS, questions have arisen regarding the ultimate needs and requirements of the Empire Sanitary District for tying into Modesto's sewer system through the Yosemite Sewer Trunk Line, and

WHEREAS, questions have arisen regarding the time frame for the Jennie-Grand Bridge Couplet approval and construction by the State of California and construction of the Brighton Bridge, and

WHEREAS, this Council has determined that in order to provide sufficient time for consideration of said questions, the advisory election on the extension of the Yosemite Sewer Trunk Line should be postponed until the general election to be held on November 4, 1980,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby cancel the Special Sewer Trunk Extension Advisory Election previously called for November 6, 1979.

BE IT FURTHER RESOLVED that Modesto City Council Resolutions No. 79-799, 79-800 and 79-801 adopted on August 7, 1979, are hereby rescinded.

BE IT FURTHER RESOLVED that this Council hereby declares its intention to call a special advisory election to place an advisory measure on the ballot at the general election to be held on November 4, 1980, regarding the extension of the Yosemite Sewer Trunk Line, with the wording of said advisory measure to be determined by this Council at the time it formally calls said advisory election, taking into account the information that becomes available regarding the three questions referred to above.

BE IT FURTHER RESOLVED that this Resolution supersedes and replaces Resolution No. 79-941 adopted on September 11, 1979.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September 1979, by Councilmember Elliott who moved its adoption, which motion being duly seconded by

Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: none

ABSENT: Councilmembers: Muratore

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1010

A RESOLUTION GRANTING AN ENCROACHMENT PERMIT AND A VARIANCE TO THE STANISLAUS CENTER FOR THE PHYSICALLY HANDICAPPED FOR A RAMP IN THE SIDEWALK AREA FOR A BUILDING LOCATED AT 208 CAMPUS WAY.

WHEREAS, the Stanislaus Center for the Physically Handicapped (hereinafter referred to as the Center) occupies a building located at 208 Campus Way in the City of Modesto, and

WHEREAS, the Center desires to construct a ramp to provide access into said building for physically handicapped persons, and

WHEREAS, if said ramp is constructed it will leave a sidewalk adjacent thereto of only thirty-eight (38") inches in width, and

WHEREAS, the Center has requested an encroachment permit to construct said ramp in the sidewalk-planting strip area of Coyada Way and a variance for the remaining sidewalk adjacent thereto to be only thirty-eight (38") inches in width, and

WHEREAS, Section 7-1.104 of the Modesto Municipal Code authorizes the granting of permits for encroachments in the sidewalk-planting strip area of streets, subject to conditions established by the Council, and

WHEREAS, the Standard Specifications of the City of Modesto for sidewalks, adopted pursuant to Section 7-1.301 of the Modesto Municipal Code, prescribe a minimum width of sixty (60") inches for sidewalks on Coyada Way, and

WHEREAS, Sections 9955 et seq. of the Health and Safety Code of the State of California and Sections 4450 et seq. of the Government Code of the State of California and standards adopted pursuant thereto prescribe minimum widths for sidewalks to assure access and usability for the physically handicapped, and

WHEREAS, said provisions provide for exceptions from the literal requirements thereof where there are practical difficulties, unnecessary hardship or extreme differences, and

WHEREAS, this Council has found and determined as follows:

(a) The ramp is necessary for the full use and enjoyment of the Center's property.

(b) There is no other reasonable and convenient place that the Center can construct or install the ramp.

(c) The ramp will not be unsightly or create a nuisance.

(d) The ramp will not unreasonably interfere with the rights of the public in the sidewalk-planting strip area and in the adjacent street.

(e) The ramp can be constructed in such a manner that it will not be a hazard to the public using the sidewalk-planting strip area or the adjacent street.

(f) The ramp can be removed at any time in the future that the permit may be revoked.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby grant an encroachment permit to the Stanislaus Center for the Physically Handicapped for the construction and maintenance of a ramp for physically handicapped persons on Coyada Way adjacent to the building occupied by said Center and located at 208 Campus Way, Modesto, California, subject to the following conditions:

(a) The Center shall indemnify and hold the City and its officers, agents and employees free and harmless from any and all damages, costs, charges or liabilities of any kind or character that may arise out of, relate to, or in any way be connected with the construction, maintenance and use of the above described ramp and the resulting thirty-eight (38") inch wide sidewalk, a variance for which is granted by this resolution.

(b) The Center shall defend, at its own cost and expense, any and all lawsuits that may arise out of or be connected in any way with the exercise of the construction, maintenance and use of the above described ramp and the resulting thirty-eight (38") inch wide sidewalk, a variance for which is granted by this resolution.

(c) The Center shall comply with all laws, ordinances, and regulations of the City of Modesto, County of Stanislaus, and State of California that relate to or affect the rights granted by this resolution.

(d) The Center shall furnish to City evidence of Public Liability and Property Damage Insurance. Such insurance shall be in amounts satisfactory to the City Attorney, and shall contain a contractual liability endorsement covering the liability assumed by the Center by the terms of this resolution. Such insurance shall also provide that the policy may not be cancelled except after ten days' notice in writing to the City Clerk of the City of Modesto.

(e) The Center shall construct, install and maintain the ramp and adjacent sidewalk in such a manner that it shall not become a nuisance or be hazardous to the public using the sidewalk-planting strip area and the adjacent street.

(f) The Center shall construct, install and maintain the ramp and adjacent sidewalk to the satisfaction of the Director of Public Works.

(g) The provisions of this resolution shall be binding on all successors, assigns and heirs of the Center.

(h) The rights and privileges granted by this resolution may be revoked at any time by the City Council.

(i) The Center shall accept the provisions of this resolution and all of its terms and conditions in writing, and no rights or privileges shall be conferred hereby until it has been so accepted, and a certificate evidencing any insurance

required has been filed with the City Clerk.

BE IT FURTHER RESOLVED that a variance is hereby granted to the Stanislaus Center for the Physically Handicapped to allow a thirty-eight (38") inch wide sidewalk on Coyada Way adjacent to the above described ramp for physically handicapped persons located adjacent to the building occupied by the Stanislaus Center for the Physically Handicapped. This variance is granted for the following reasons:

(a) The above described ramp is necessary to make the Center's facilities accessable and usable for physically handicapped persons who cannot use stairs.

(b) Coyada Way has very little pedestrian traffic other than persons using the Center.

(c) There is no other practical and economical way to provide ramp access to the Center's building.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: _____
JUDI C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1011

A RESOLUTION APPROVING RENEWAL OF FAITHFUL PERFORMANCE BLANKET POSITION BOND FOR A THREE YEAR TERM

WHEREAS, the City has a Faithful Performance Blanket Position Bond issued by the Ohio Casualty Insurance Company; and

WHEREAS, the Council desires to renew said bond for a three year term at a cost of $3,128 ($1,375 annually).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby authorizes the renewal of the Faithful Performance Blanket Position Bond with the Ohio Casualty Insurance Company for a three year term at a cost of $3,128 and the execution of all necessary documents by the City's designated officials.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1012

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALOMA LACKEY FOR THE PARKVIEW GUESTHOME AT 1343 LEGION PARK DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Aloma Lackey

for the lease of the Parkview Guesthome at 1343 Legion Park Drive

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C Hall

JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1013

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HAIG BERBERIAN FOR THE LEASE OF THE FORMER McCLURE PROPERTY (LESS McCLURE HOUSE AND GROUNDS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Haig Berberian **for** the lease of the former McClure property (less McClure house and grounds) **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1014

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ALLEN AND GAIL HAMILTON FOR LEASE OF AN APARTMENT UNIT (FORMER McCUMBER PROPERTY) LOCATED ON THE OLD LINCOLN SCHOOL SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Allen and Gail Hamilton **for** the lease of an apartment unit (former McCumber property) located on the old Lincoln School Site beginning October 1, 1979 and continuing on a month-to-month tenancy be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1015

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND PENNIE HUDSON OF MODESTO CAB COMPANY FOR AIRPORT CONCESSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Pennie Hudson of Modesto Cab Company **for** Airport concession for one year at $130.00/year

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1016

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND B. DENNIS McDONALD OF RED TOP TAXI FOR AIRPORT CONCESSION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and B. Dennis McDonald of Red Top Taxi

for Airport concession for one year at $130/year

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1017

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND L.R. VAN HORN AND LENA B. VAN HORN FOR THE DONATION OF NEEDED RIGHT OF WAY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and L.R. Van Horn and Lena B. Van Horn for the donation of needed right of way is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1017A

A RESOLUTION RESCINDING RESOLUTION OF NECESSITY FOR ACQUISITION OF REAL PROPERTY FOR MUNICIPAL PURPOSES (VAN HORN)

WHEREAS, on May 1, 1979, the Council of the City of Modesto adopted a Resolution of Necessity, Resolution No. 79-408, to acquire title to that certain parcel of real property described as follows:

> All that portion of the Southwest quarter of Section 8, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:
>
> Commencing at the Interior Quarter corner of said Section 8; thence along the East-West quarter section line, North 89° 09' West, 80.00 feet; thence South 0° 54' West, 30.01 feet to the South line of an existing road known as Standiford Avenue, being the Northeast corner of property conveyed to L. R. Van Horn, Jr., et ux, by Deed dated November 20, 1968 in Volume 2248, at Page 507, Stanislaus County Records, and the true point of beginning of this description; thence along the South line of said Standiford Avenue, North 89° 09' West, 292.25 feet; thence South 0° 54' East, 20.01 feet to a point on a line which is parallel with and 50 feet, measured at right angles, Southerly from said East-West quarter section line; thence along said parallel line, South 89° 09' East, 127.25 feet to a tangent curve; thence along said tangent curve, being concave to the North; having a Radius of 5050 feet, a Central Angle of 1° 48' 39" and an Arc Length of 159.60 feet to a point of reverse curvature; thence along said reverse curve, being concave to the South, having a Radius of 4950 feet, a Central Angle of 0° 03' 41", and an Arc Length of 5.30 feet to the East line of Van Horn property; thence along said East line, North 0° 54' West, 17.31 feet to the point of beginning.
>
> Subject to a 15 foot Modesto Irrigation District Easement, recorded January 15, 1964 in Volume 1914, at Page 589, Stanislaus County Records.
>
> Containing 0.13 of an acre, more or less.

and

WHEREAS, subsequent to the date of adoption of said Resolution of Necessity, and on August 30, 1979, the owners of the real property described above expressed their willingness to sell said property to the City of Modesto, and

WHEREAS, the purchase of said property will render acquisition of the property through eminent domain proceedings unnecessary,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Resolution No. 79-408, entitled "RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR THE ACQUISITION OF RIGHT-OF-WAY FOR THE STANDIFORD AVENUE-TULLY TO MC HENRY STREET WIDENING PROJECT (L.R. VAN HORN, JR. ET UX)" is hereby rescinded.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
~~MORRENE COBLE, City Clerk~~
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1018

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR CROWS LANDING-WHITMORE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Crows Landing - Whitmore Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian, Muratore

ATTEST: Judy C Hall
JUDY HALL, Acting City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Crows Landing-Whitmore Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

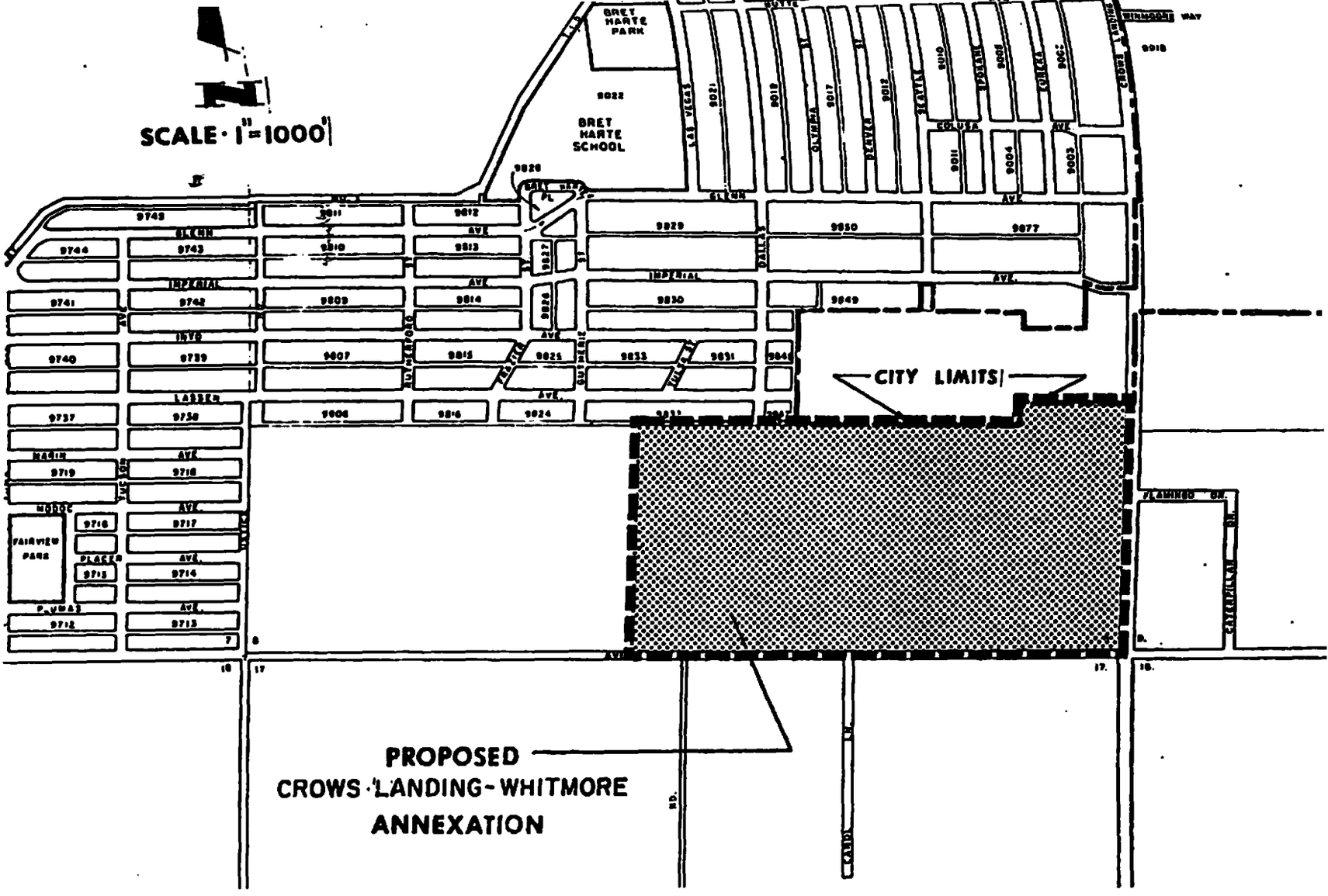
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

None



PROPOSED
CROWS LANDING-WHITMORE
ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1019

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE GUSTAF I. AND LOUELLA E. MANGNUSON PROPERTY FOR TUOLUMNE RIVER REGIONAL PARK DEVELOPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that October 23, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a hearing of necessity to acquire Gustaf I. and Louella E. Mangnuson property for Tuolumne River Regional Park development.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September**, 19**79**, by Councilmember** Bright**, who moved its adoption, which motion being duly seconded by Councilmember** Siefkin**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1020

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 8-4-9 OF THE ZONING MAP (VANDER POL)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 8-4-9 of the Zoning Map to prezone to Planned Development Zone, P-D(247) property located on the northwest corner of Crows Landing Road and Whitmore Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-247 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 8-4-9 of the Zoning Map be set for October 23, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 19 79 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian, Muratore

ATTEST: Judy C Hall
JUDY HALL. Acting City Clerk

All that portion of Section 8 Township 4 South, Range 9 East Mount Diablo Base and Meridian, described as follows:

Beginning at the point of intersection of the centerline of Whitmore Avenue with the centerline of Crows Landing Road also being the southeast corner of said Section 8; thence Westerly along the centerline of Whitmore Avenue and also being the South line of said Section 8, a distance of 1,722 feet more or less to the point of intersection with the Southerly extension of the East line of Parcel "A" as shown on the map filed May 29, 1968, in Book 5 of Parcel Maps at Page 83 in the Stanislaus County Records; thence Northerly along said extension and the East line of said Parcel "A", 1,319 feet more or less to the point of intersection with the North line of Parcel "A" also being the Northeast corner of Parcel "A"; thence Easterly along the Easterly extension of said North line of Parcel "A" 1,722 feet more or less to the point of intersection with the centerline of Crows Landing Road; thence Southerly along said centerline to the point of beginning.

Excepting therefrom the Northerly 400 feet of the Westerly 1,043 feet of the above described property.

SCHEDULE "A"
(VANDER POL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1021

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP (COON & RAINES)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 28-3-9 of the Zoning Map to rezone from C-1 to P-D(246) property located at 512 and 516 14th Street

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-245 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 28-3-9 of the Zoning Map be set for October 23, 1979 at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September , 19 79 , by Councilmember Bright , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Clerk

All that portion of the Southwest one-quarter of Section 28, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

All of Lots 21, 22, 23, and 24 of Block 116 in the City of Modesto and filed in Volume 15 of Maps in the Stanislaus County Records, and also the Northeasterly 40 feet of 14th Street and the Southwesterly 10 feet of the alley immediately adjacent to said Lots 21, 22, 23, and 24.

SCHEDULE "A"
(COON AND RAINES)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1022

A RESOLUTION ACCEPTING THE ADAP GRANT OFFER OF THE UNITED STATES OF AMERICA, PROJECT NO. 6-06-0153-07: MODESTO CITY-COUNTY AIRPORT/HARRY SHAM FIELD.

BE IT HEREBY RESOLVED by the City Council of the City of Modesto as follows:

SECTION 1. That the City of Modesto shall accept the ADAP Grant Offer of the United States of America in the amount of $75,438.00 for the purpose of obtaining Federal-aid under Project No. 6-06-0153-07 in the development of Modesto City-County Airport/Harry Sham Field.

SECTION 2. That the City Manager of the City of Modesto is hereby authorized and directed to sign the Statement of Acceptance of said ADAP Grant Offer (entitled Part II - Acceptance) on behalf of the City of Modesto and the Acting City Clerk is hereby authorized and directed to attest the signature of the City Manager and to impress the official seal of the City of Modesto on the aforesaid statement of Acceptance.

SECTION 3. A true copy of the ADAP Grant Offer referred to herein is attached hereto and made a part hereof.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

(SEAL)

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CERTIFICATE

I, Judy C. Hall, Acting City Clerk of the City of Modesto, California, do hereby certify that the attached is a full, true, and correct copy of Resolution No. 79-1022 adopted at an adjourned regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, and that the same is now in full force and effect. IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the City of Modesto this 27th day of September, 1979.

Judy C. Hall

JUDY C. HALL, Acting City Clerk

DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

GRANT AGREEMENT

Part 1-Offer

Date of Offer September 11, 1979

Modesto City-County Airport/Harry Sham Field Airport

Project No. 6-06-0153-07

Contract No. DOT FA79WE-5462

TO: City of Modesto, California
(herein referred to as the "Sponsor")

FROM: The United States of America (acting through the Federal Aviation Administration, herein referred to as the "FAA")

WHEREAS, the Sponsor has submitted to the FAA a Project Application (herein called an Application for Federal Assistance) dated August 28, 1979, for a grant of Federal funds for a project for development of the Modesto City-County/Harry Sham FieldAirport (herein called the "Airport"), together with plans and specifications for such project, which Application for Federal Assistance, as approved by the FAA is hereby incorporated herein and made a part hereof; and

WHEREAS, the FAA has approved a project for development of the Airport (herein called the "Project") consisting of the following-described airport development:

Construct access road to general aviation area (approx. 1900 l.f. x 40 ft.) including drainage and marking; relocate security fencing (approx. 800 l.f.).

all as more particularly described in the property map and plans and specifications incorporated in the said Application for Federal Assistance.

NOW THEREFORE, pursuant to and for the purpose of carrying out the provisions of the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.),and in consideration of (a) the Sponsor's adoption and ratification of the representations and assurances contained in said Application for Federal Assistance, and its acceptance of this Offer as hereinafter provided, and (b) the benefits to accrue to the United States and the public from the accomplishment of the Project and the operation and maintenance of the Airport as herein provided, THE FEDERAL AVIATION ADMINISTRATION, FOR AND ON BEHALF OF THE UNITED STATES, HEREBY OFFERS AND AGREES to pay, as the United States share of the allowable costs incurred in accomplishing the Project,

80.59 percent of the allowable project cost.

This Offer is made on and subject to the following terms and conditions:

1. The maximum obligation of the United States payable under this Offer shall be $ 75,438.00.

2. The Sponsor shall:

   a. begin accomplishment of the Project within 120 days after acceptance of this Offer or such longer time as may be prescribed by the FAA, with failure to do so constituting just cause for termination of the obligations of the United States hereunder by the FAA;

   b. carry out and complete the Project without undue delay and in accordance with the terms hereof, the Airport and Airway Development Act of 1970, as amended, and the Regulations of the FAA (14 CFR Part 152) in effect as of the date of acceptance of this Offer; which Regulations are hereinafter referred to as the "Regulations";

   c. carry out and complete the Project in accordance with the plans and specifications and property map, incorporated herein, as they may be revised or modified with the approval of the FAA;

   d. submit all financial reports on an accrual basis and if records are not maintained on an accrual basis, reports may be based on analysis or records or best estimates as required by the Regulations;

   e. monitor performance under the Project to assure that time schedules are being met, projected work units by time periods are being accomplished, and that other performance goals are being achieved as established by the Regulations.

3. The allowable costs of the project shall not include any costs determined by the FAA to be ineligible for consideration as to allowability under the Regulations.

4. Payment of the United States share of the allowable project costs will be made pursuant to and in accordance with the provisions of the Regulations. Final determination of the United States share will be based upon the final audit of the total amount of allowable project costs and settlement will be made for any upward or downward adjustments to the Federal share of costs. The grant closeout requirements will be in accordance with the Regulations.

5. The Sponsor shall operate and maintain the Airport as provided in the Application for Federal Assistance incorporated herein and specifially covenants and agrees in accordance with its Assurance 20 in Part V of said Application for Federal Assistance, and Section 30 of the Airport and Airway Development Act, as amended, that in its operation and the operation of all facilities thereof, neither it nor any person or organization occupying space or facilities thereon will discriminate against any person by reason of race, color, creed, national origin or sex in the use of the facilities provided for the public on the airport.

6. The FAA reserves the right to amend or withdraw this Offer at any time prior to its acceptance by the Sponsor.

7. This Offer shall expire and the United States shall not be obligated to pay any part of the costs of the Project unless this Offer has been accepted by the Sponsor on or before September 30, 1979, or such subsequent date as may be prescribed in writing by the FAA.

8. The Sponsor agrees to effectuate the purposes of Section 30 of the Airport and Airway Development Act of 1970, as amended, by assuring that minority business enterprises shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds provided under this agreement. For the purposes of this provision, "minority business enterprise" means a business enterprise that is owned or controlled by one or more socially or economically disadvantaged persons. Such disadvantage may arise from cultural, racial, religious, sex, national origin, chronic economic circumstances or background or other similar cause. Such persons may include, but are not limited to, blacks, not of Hispanic origin; persons of Hispanic origin; Asians or Pacific Islanders; American Indians; and Alaskan natives. Grantee further agrees to comply with such Regulations as may be issued by the Federal Aviation Administration to implement Section 30 of the Act.

9. The Sponsor will send a copy of all Invitations for Bids, advertised or negotiated, for concessions or other business at the airport to the appropriate Office of Minority Business Enterprise (OMBE) representative as identified by the FAA Regional Civil Rights Office. The Sponsor will disclose and make information about the contracts, contracting procedures and requirements available to the designated OMBE representative and minority firms on the same basis that such information is disclosed and made available to other organizations or firms. Responses by minority firms to Invitations for Bids shall be treated in the same manner as all other responses to the Invitation for Bids. Compliance with the preceding will be deemed to constitute compliance by the Sponsor with requirements of 49 CFR 21 Appendix C(a)(1)(x), Regulations of the Office of the Secretary of Transportation.

10. The Sponsor hereby agrees and convenants that any and all flood insurance coverage required by the Flood Disaster Protection Act of 1973 (P.L. 93-234), with respect to the buildings and/or personal property to be constructed and/or acquired under this project will be purchased prior to the acquisition or construction of any insurable interest and shall be maintained during the useful life of such buildings or personal property.

11. It is understood and agreed that the Sponsor will provide for FAA employees adequate parking accommodations satisfactory to the Administrator at all FAA technical facilities (Air Navigation and Air Traffic Control facilities) located on the airport. It is further understood and agreed that Sponsor will provide, without cost, adequate land for the purpose of parking all official vehicles of the FAA (government and privately owned when used for FAA business) necessary for the maintenance and operation of the FAA facilities on the airport. Such land shall be adjacent to the facilities served.

12. It is understood and agreed by and between the parties hereto, that pursuant to FAR Part 152, Section 152.64, the FAA may by written notice terminate or suspend this Grant in whole or in part, or withhold payment if it finds that the Sponsor has failed to comply with the conditions of the Grant or if it finds that continuation of the project would not produce beneficial results.

13. Assurance Number 18 of Part V of the Application for Federal Assistance incorporated herein is amended by including at the end of the second sentence the following language:

> "including the requirement that (A) each air carrier, authorized to engage directly in air transportation pursuant to Section 401 or 402 of the Federal Aviation Act of 1958, using such airport shall be subject to nondiscriminatory and substantially comparable rates, fees, rentals, and other charges and nondiscriminatory and substantially comparable rules, regulations and conditions as are applicable to all such air carriers which make similar use of such airport and which utilize similar facilities, subject to reasonable classifications such as tenants or nontenants, and combined passenger and cargo flights or all cargo flights, and such classification or status as tenant shall not be unreasonably withheld by any sponsor provided an air carrier assumes obligations substantially similar to those already imposed on tenant air carriers, and (B) each fixed-based operator using a general aviation airport shall be subject to the same rates, fees, rentals, and other charges as are uniformly applicable to all other fixed base operators making the same or similar uses of such airport utilizing the same or similar facilities; provision (A) above, shall not require the reformation of any lease or other contract entered into by a sponsor before July 12, 1976. A sponsor shall not require the reformation of any lease or other contract entered into by a sponsor before July 1, 1975."

14. It is understood and agreed that no part of the Federal share of an airport development project for which a grant is made under the Airport and Airway Development Act of 1970, as amended (49 U.S.C. 1701 et seq.), or under the Federal Airport Act, as amended (49 U.S.C. 1101 et seq.), shall be included in the rate base in establishing fees, rates, and charges for users of the airport.

15. The Sponsor hereby agrees that it will incorporate or cause to be incorporated into any contract for construction work, or modification thereof, as defined in the regulations of the Secretary of Labor at 41 CFR Chapter 60, which is paid for in whole or in part with funds obtained from the Federal Government or borrowed on the credit of the Federal Government pursuant to a grant, contract, loan, insurance, or guarantee, or undertaken pursuant to any Federal program involving such grant, contract, loan, insurance, or guarantee the following Equal Opportunity clause:

(a) During the performance of this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, sex or national origin. Such action shall include, but not be limited to, the following: Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination, rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order 11246 of 24 September 1965, and of the rules and regulations, and relevant orders of the Secretary of Labor.

(5) The contractor will furnish all information and reports required by Executive Order 11246 of September 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further government contractors or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of 24 September 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 1965, or by rules, regulations, or orders of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the portion of the sentence immediately preceding paragraph (1) and the provisions of paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of 24 September 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions, for noncompliance; provided, however, that in the event a contractor becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the administering agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

The Sponsor further agrees that it will be bound by the above equal opportunity clause with respect to its own employment practices when it participates in federally assisted construction work: Provided that if the applicant so participating is a state or local government, the above equal opportunity clause is not applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract.

The Sponsor agrees that it will assist and cooperate actively with the administering agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor, that it will furnish the administering agency with the Secretary

of Labor such information as they may require for the supervision of such compliance, and that it will otherwise assist the administering agency in the discharge of the agency's primary responsibility for securing compliance.

The Sponsor further agrees that it will refrain from entering into any contract or contract modification subject to Executive Order 11246 of 24 September 1965 with a contractor debarred from, or who has not demonstrated eligibility for, government contracts and federally assisted construction contracts pursuant to the Executive Order and will carry out such sanctions and penalties for violation of the equal opportunity clause as may be imposed upon contractors and subcontractors by the administering agency or by the Secretary of Labor pursuant to Part II, Subpart D of the Executive Order. In addition, the Sponsor agrees that if it fails or refuses to comply with these undertakings the administering agency may take any or all of the following actions: cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the Sponsor under the program with respect to which the failure or refund occurred until satisfactory assurance of future compliance has been received from the Sponsor; or refer the case to the Department of Justice for appropriate legal proceedings.

(b) State and local governments intending to impose affirmative action hiring and/or training requirements of federally assisted construction already subject to federal minority hiring and/or training plans established pursuant to the Order shall submit such requirements to the Director prior to their inclusion in any federally assisted construction contracts. Such state or local government requirements will be deemed applicable to federally assisted construction contracts unless the Director, or in the case of an appeal of the Director's determination, the Assistant Secretary for Employment Standards, determines that such requirements are inconsistent with the Order or incompatible with the effective implementation of the federal minority hiring and/or training plan (either voluntary or imposed) in the area. The state or local government affirmative action hiring and/or training requirements shall not be included in federally assisted construction contracts until the Director, or in the case of an appeal, the Assistant Secretary, has had an opportunity to make a determination in accordance with this paragraph. The Director shall make his determination within 60 days of his receipt of the state or local government's submission, which should include the pertinent affirmative action hiring and/or training requirements and supporting data.

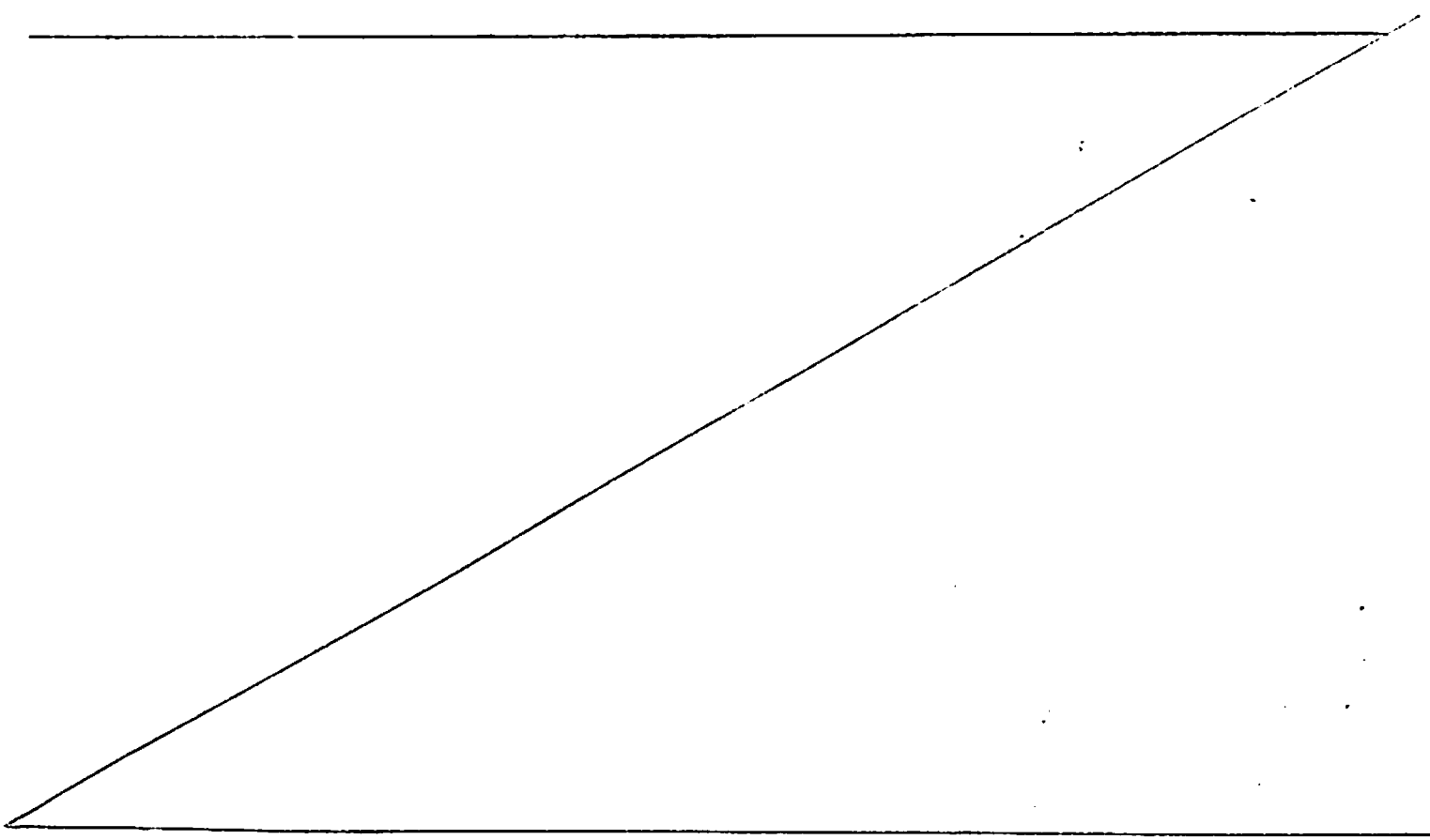
The Director may also request the state or local government to supply information and data necessary for his determination. The Director's determination shall be communicated directly to the state or local governmental body by registered mail, return receipt requested, together, in the case of an adverse determination, with a notification of its right to appeal to the Assistant Secretary. The Director's determination shall also be announced in a Federal Register notice, which shall also indicate that the state or local government, and any other persons or groups affected by the Director's determination, including construction trades contractors, labor organizations, associations or other organizations of construction trades contractors and/or labor organizations, and minority community groups, may appeal such determination to the Assistant Secretary by requesting a hearing within 21 days of the publication of the Federal Register notice. Following this appeal period, if any requests for a hearing have been filed with the Assistant Secretary, the Department of Labor shall then designate an administrative law judge who shall conduct a hearing to make proposed findings and a recommended decision to the Assistant Secretary upon the basis of the record before him. The administrative law judge shall give reasonable notice of the opportunity to participate in such hearing by registered mail, return receipt requested, to those requesting the hearing and shall also give reasonable notice of such hearing in the Federal Register to inform all other persons, organizations, and other entities affected by the Director's determination of their opportunity to participate in the hearing. Each participant shall have the right to counsel and a fair opportunity to present his case, including such cross-examination as the administrative law judge may deem appropriate in the circumstances. Within 80 days of the close of the appeal period for requesting a hearing, the Assistant Secretary shall make a final decision on the basis of the record before him, which shall consist of the record for recommended decision, the rulings and recommended decision of the administrative law judge, and the exceptions and briefs filed subsequent to the administrative law judge's decision. In determining whether state or local government affirmative action hiring and/or training requirements are inconsistent with the Order or incompatible with the effective implementation of the applicable federal minority hiring and/or training plan in the area, at least the following factors shall be considered under this subparagraph; (i) the impact of the state or local government requirements on the successful implementation of the federal plan in the area; (ii) the minority population in the

area to be covered by the state or local government plan; (iii) the minority manpower utilization in the area construction industry, on a trade-by-trade basis; (iv) the availability of minorities for employment in the area construction industry; (v) the need and availability of training programs in the area construction industry; (vi) the projected growth and attrition factors of the area construction industry in the near future; (vii) available procedures to ensure that contractors, subcontractors and others are provided with notice and a full opportunity to contest allegations of noncompliance; and (viii) assurances that the state or local government minority hiring and/or training requirements are not intended and shall not be used to discriminate against any qualified person on the basis of race, color, religion, sex or national origin. State and local governments are encouraged: to participate in the formulation and implementation of federal minority hiring and/or training plans consonant with the aforementioned criteria in areas currently without such plans; to enforce their fair employment practices laws with respect to acts of discrimination affecting federally assisted construction and to assist the administering Federal agency in monitoring the compliance of contractors and subcontractors performing on federally assisted projects. For purposes of this subparagraph. "Assistant Secretary" means the Assistant Secretary for Employment Standards or his designee.

16. The sponsor will comply with the requirements of Section 504 of the Rehabilitation Act of 1973 and 49 CFR Part 27 which provides for nondiscrimination on the basis of handicap in federally assisted programs and activities receiving or benefiting from Federal financial assistance and requires certain design standards to be implemented at airports.

17. It is understood and agreed by and between the parties hereto that this Grant Offer is made and accepted upon the basis of preliminary plans and specifications; and the parties hereby covenant and agree that within 120 days from the date of acceptance of this Grant Offer the sponsor shall furnish final plans and specifications to the FAA and that no construction work will be commenced hereunder nor will there be any advertisement for bids for accomplishment of such work until the said final plans and specifications have been approved by the FAA; and the parties do hereby further covenant and agree that any reference made in this Grant Offer or in the aforesaid Application for Federal Assistance to plans and specifications shall be considered as having reference to said final plans and specifications as so approved.

18. The Federal Government does not now plan or contemplate the construction of any structures pursuant to Paragraph 27 of Part V - Sponsor's Assurances - of the Application for Federal Assistance dated August 28, 1979, and therefore, it is understood and agreed that the sponsor is under no obligation to furnish any areas or rights without cost to the Federal Government under this Grant Agreement. However, nothing contained herein shall be construed as altering or changing the rights of the United States and/or the obligations of the sponsor under prior Grant Agreements to furnish rent-free space and/or such estates or interests in such land or rights in buildings for the activities specified in such agreements.



The Sponsor's acceptance of this Offer and ratification and adoption of the Application for Federal Assistance incorporated herein shall be evidenced by execution of this instrument by the Sponsor, as hereinafter provided, and said Offer and Acceptance shall comprise a Grant Agreement, as provided by the Airport and Airway Development Act of 1970, as amended, constituting the obligations and rights of the United States and the Sponsor with respect to the accomplishment of the Project and the operation and maintenance of the Airport. Such Grant Agreement shall become effective upon the Sponsor's acceptance of this Offer and shall remain in full force and effect throughout the useful life of the facilities developed under the Project but in any event not to exceed twenty years from the date of said acceptance, except as otherwise provided in Sponsor's Assurance No. 17, Part V of the Application for Federal Assistance.

UNITED STATES OF AMERICA
FEDERAL AVIATION ADMINISTRATION
WESTERN REGION

By .....
(Title)
Chief, Airports Field Office

Part II - Acceptance

The City of Modesto, California does hereby ratify and adopt all statements, representations, warranties, covenants, and agreements contained in the Application for Federal Aaaistance and incorporated materials referred to in the foregoing Offer and does hereby accept said Offer and by such acceptance agrees to all of the terms and conditions thereof.

Executed this 27th day of September , 19 79 .

CITY OF MODESTO, CALIFORNIA
(Name of Sponsor)

(SEAL)

By .....
Garth Lipsky
Title City Manager

Attest: Judy C. Hall
Title: Acting City Clerk

CERTIFICATE OF SPONSOR'S ATTORNEY

I, Elwyn L. Johnson , acting as Attorney for City of Modesto , (herein referred to as the "Sponsor") do hereby certify:

That I have examined the foregoing Grant Agreement and the proceedings taken by said Sponsor relating thereto, and find that the Acceptance thereof by said Sponsor has been duly authorized and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of California and the Regulations and further that, in my opinion, said Grant Agreement constitutes a legal and binding obligation of the Sponsor in accordance with the terms thereof.

Dated at Modesto, California this 28th day of September , 19 79 .

.....

Title City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1023

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $800 FROM GENERAL RESERVE TO THE WORD PROCESSING DIVISION FOR MICROFILING DEPARTMENTAL RECORDS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 101)	$800
TO:	Word Processing Microfilming (317 110 101)	$800

To cover costs of microfilming records for departments who have not budgeted adequate funds for microfilming departmental records.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian, Muratore

ATTEST: Judy C. Hall
JUDY HALL, Acting City Hall

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1024

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $151,339 TO FINANCE THE CONTINUATION OF REPAIRS ON THE 7TH STREET BRIDGE

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 205)	$151,339
TO:	Replace 7th Street Bridge (6760 014 205)	$151,339

To restore appropriation in the Seventh Street repair account to the level which existed prior to reversion of an encumbrance.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19 79, **by Councilmember** Bright, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Kullijian, Muratore

ATTEST: Judy C Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1025

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $75,000 FROM GENERAL RESERVE OF THE SPECIAL FUND FOR CAPITAL OUTLAY FOR PURCHASE OF PROPERTY FOR FIRE STATION NO. 9

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 321)	$75,000
TO:	Property Acquisition (6319 210 321)	$75,000

Accelerated purchase of property for Fire Station No. 9 due to decreasing availability and rapidly escalating property costs.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th **day of** September, 19**79**, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Judy C Hall
JUDY HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1026

A RESOLUTION APPOINTING MEMBERSOF THE FARM-CITY ADVISORY COMMITTEE (ROBERT TARO AND LORAINE CONAUGHTY)

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following persons are hereby appointed to the Farm-City Advisory Committee for the respective term as indicated:

Robert Taro
3530 Maze Avenue
Modesto, Ca.
Term to expire 5/1/80
(Replacing Harold Joliff)

Loraine Conaughty
805 Tully Rd. - #5
Modesto, Ca.
Term to expire 5/1/82
(Replacing Gerald Oberkamper)

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed membersof the Farm-City Advisory Committee and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 27th day of September, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Muratore

ATTEST: Judy C. Hall
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1027

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE RECONSTRUCTION OF PUMP STATION NO. 40

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the reconstruction of Pump Station No. 40 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 23, 1979, at 11:05 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1028

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR 1) RELOCATION OF APPROXIMATELY 2,100' OF CHAIN LINK BOUNDARY FENCE ALONG THE SOUTHERLY SIDE OF THE GENERAL AVIATION AREA; AND 2) THE ADDITION OF SECURITY FENCING BETWEEN HANGARS 2 AND 5 IN THE GENERAL AVIATION AREA AT THE MODESTO CITY-COUNTY AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for 1) relocation of approximately 2,100' of chain link boundary fence along the southerly side of the general aviation area; and 2) the addition of security fencing between Hangars 2 and 5 in the general aviation area at the Modesto City-County Airport **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 23, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, **19**79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1029

A RESOLUTION ACCEPTING THE BID OF WESTERN STATES TESTING FOR COMPACTION AND AGGREGATE TESTING SERVICES

WHEREAS, proposals were requested by the City of Modesto for annual compaction and aggregate testing services to be performed on various City street and water line projects or construction projects; and

WHEREAS, three local firms submitted proposals to the City based on testing estimates provided by the Public Works Construction Engineering Offices, which proposals were tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Western States Testing be accepted and the execution of purchase orders by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1030

A RESOLUTION ACCEPTING THE BID OF THE AMERICAN RUBBER COMPANY FOR THE PURCHASE OF 1-½" AND 3" DOUBLE-JACKET FIRE HOSE

WHEREAS, Resolution No.79-781, adopted by the Council of the City of Modesto on August 7, 1979 , approved the plans and specifications for the purchase of one fire hose and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of one fire hose were opened at 2:00 p.m. on September 4, 1979, and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of The American Rubber Company in the amount of $14,933.81 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of The American Rubber Company in the amount of $14,933.81 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1031

A RESOLUTION ACCEPTING THE BID OF CDR CONSTRUCTION AND DEVELOPMENT INC. FOR THE RECONSTRUCTION OF PUMP STATION NO. 41

WHEREAS, Resolution No.79-905, adopted by the Council of the City of Modesto on September 4, 1979, approved the plans and specifications for the reconstruction of Pump Station No. 41 and authorized the calling for bids; and

WHEREAS, the bids received for the reconstruction of Pump Station No. 41 were opened at 11:05 a.m. on September 25, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of CDR Construction and Development, Inc. in the amount of $107,977 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of CDR Construction and Development, Inc. in the amount of $107,977 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1032

A RESOLUTION ACCEPTING THE BID OF KEENE CORPORATION FOR FURNISHING FIVE BUS FAREBOXES

WHEREAS, Resolution No. 79-723, adopted by the Council of the City of Modesto on July 17, 1979, approved the plans and specifications for the furnishing of five bus fareboxes and authorized the calling for bids; and

WHEREAS, the bids received for the furnishing of five bus fareboxes were opened at 2:00 p.m. on September 25, 1979, and later tabulated by the Director of Parking and Traffic for the consideration of the Council; and

WHEREAS, the Director of Parking and Traffic has recommended that the bid of Keene Corporation in the amount of $10,975 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Keene Corporation in the amount of $10,975 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

RESOLUTION NO. 79-1033

IS UNUSED

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1034

A RESOLUTION ACCEPTING THE BID OF WILLIAM M, MINENI FOR CONSTRUCTION OF RESTROOM BUILDING AT SYLVAN PARK

WHEREAS, Resolution No. 79-908, adopted by the Council of the City of Modesto on September 4, 1979 , approved the plans and specifications for the construction of restroom building at Sylvan Park and authorized the calling for bids; and

WHEREAS, the bids received for the construction of restroom building at Sylvan Park were opened at 11:00 a.m. on September 25, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of William M. Mineni in the amount of $57,400 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of William M. Mineni in the amount of $57,400 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1035

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN CARPENTER ROAD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Carpenter Road has been completed by Mac's Backhoe Service

in accordance with the contract agreement dated June 5, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Carpenter Road be accepted from said contractor, Mac's Backhoe Service ;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $54,630 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1036

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION AT DALE AND SNYDER AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension at Dale and Snyder has been completed by Mac's Backhoe Service

in accordance with the contract agreement dated June 5, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension at Dale and Snyder be accepted from said contractor, Mac's Backhoe Service;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $44,678.40 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1037

A RESOLUTION ACCEPTING THE CONSTRUCTION OF AIRCRAFT TIE-DOWN AT THE MODESTO CITY-COUNTY AIRPORT, CAAP PROJECT #1-78-1

WHEREAS, a report has been filed by the Director of Public Works that the construction of an aircraft tie-down at the Modesto City-County Airport has been completed by George Reed, Inc.

in accordance with the contract agreement dated June 19, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of an aircraft tie-down at the Modesto City-County Airport be accepted from said contractor, George Reed, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $108,096 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of September, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1038

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION AT E. ORANGEBURG AND CLAUS ROAD

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** waterline extension at E. Orangeburg and Claus Road **has been completed by** Joe Martin Pipeline, Inc.

in accordance with the contract agreement dated May 1, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension at E. Orangeburg and Claus Road **be accepted from said contractor,** Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $29,106.40 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1039

A RESOLUTION ACCEPTING THE CONSTRUCTION OF F.A.U. NO. M-F 219(1) - OAKDALE - SCENIC TO BRIGGSMORE, AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of F.A.U. No. M-F 219(1) - Oakdale - Scenic to Briggsmore has been completed by McGaw Company

in accordance with the contract agreement dated August 7, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of F.A.U. No. M-F 219(1) - Oakdale - Scenic to Briggsmore be accepted from said contractor, McGaw Company ;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $529,410.18 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1040

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH COMAIR COMPANY FOR THE PURCHASE OF AIR CONDITIONING REPAIR SERVICES

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of air conditioning repair services is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with ComAir Company for the purchase of air conditioning repair services for the total price of $6,888.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers;	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers;	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1041

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (STANDIFORD NO. 2 ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on August 7, 1979, duly adopted Resolution No. 79-805 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, October 2, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 213, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. A. Hanegan
Public Works Department

130/000-00160-01/15/79

STANDIFORD NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Northwestern corner of the STANDIFORD-TULLY NO. 1 ADDITION (309), as per description filed August 28, 1973, as Instrument 8127, Stanislaus County Records, said point being on the Northern line of Hetch Hetchy right-of-way;

1. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 00° 24' 59" East, 895.59 feet;

2. thence continuing along the existing City Limits and a Northern line of said ADDITION (309), South 88° 45' 45" West, 596.78 feet;

3. thence continuing along the existing City Limits and a Western line of said ADDITION (309), South 01° 12' 20" East, 483.56 feet, to the Southern line of 40.00 foot Standiford Avenue;

4. thence continuing along the existing City Limits and a Northern line of the FRANCEK ADDITION (150), as per description filed February 8, 1963, as Instrument 5121, Stanislaus County Records, North 89° 28' 00" West, 218.10 feet to the Northwestern corner of said ADDITION (150);

5. thence continuing along the existing City Limits and an Eastern line of the STANDIFORD-CARVER NO. 1 ADDITION (320), as per description filed September 12, 1974, as Instrument 10197, Stanislaus County Records, North 01° 12' 20" West, 1338.46 feet;

6. thence continuing along the existing City Limits and a Southern line of said ADDITION (320), South 89° 24' 23" East, 584.28 feet, to the Southwestern corner of the NORTH TULLY NO. 1 ADDITION (322), as per description filed November 14, 1974, as Instrument 19015, Stanislaus County Records;

7. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), South 89° 24' 23" East, 86.46 feet;

8. thence continuing along the existing City Limits and the Southern line of said ADDITION (322), North 69° 19' 52" East, 166.19 feet, to the point of beginning, containing 18.495 Acres, more or less.

CLERK'S CERTIFICATE

I, Judy C. Hall, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 2, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 2, 1979

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1042

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (MORNINGSIDE-SEPTEMBER ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on August 7, 1979, duly adopted Resolution No. 79-806 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, October 2, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 212, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. A. Westwood
Public Works Department

130/000-00160-01/15/79

May 18, 1978

MORNINGSIDE - SEPTEMBER ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 23, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by a Southwest corner of SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records;

1. thence along the existing City Limits and the Northern line of OLD OAKDALE ADDITION (248), as per description filed February 5, 1970, as Instrument 3849, Stanislaus County Records, South 89° 59' 00" West, 1269.20 feet to a Southeastern corner of the MORNINGSIDE HEIGHTS ADDITION (192), as per description filed June 14, 1966, as Instrument 21018, Stanislaus County Records;

2. thence continuing along the existing City Limits and an Eastern line of said ADDITION (192), North 00° 45' 00" West, 646.00 feet;

3. thence continuing along the existing City Limits and a Southern line of said ADDITION (192), North 89° 36' 20" East, 1268.98 feet, to a Southeast corner of said ADDITION (192);

4. thence continuing along the existing City Limits and a Western line of the SONOMA NO. 3 ADDITION (285), as per description filed April 26, 1972, as Instrument 16760, Stanislaus County Records, South 00° 45' 45" East, 654.37 feet, to the point of beginning, containing 18.933 Acres, more or less.

CLERK'S CERTIFICATE

I, Judy C. Hall, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 2, 1979, of which meeting all of the members of said Council had due notice, and at which two-tairds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 2, 1979

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

(MSD-A2)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1043

A RESOLUTION OF THE COUNCIL OF THE CITY OF MODESTO ANNEXING TERRITORY TO THE MODESTO MUNICIPAL SEWER DISTRICT NO. 1 AND FIXING AND DETERMINING ITS BOUNDARIES. (SUNNYSIDE ANNEXATION)

WHEREAS, the Council (herein called the "Council") of the City of Modesto (herein called the "City") heretofore on August 15, 1966, duly adopted Resolution No. 66-543, which was recorded in the office of the County Recorder of Stanislaus County on August 16, 1966, and which established the Modesto Municipal Sewer District No. 1, and

WHEREAS, the Council heretofore on August 7, 1979, duly adopted Resolution No. 79-807 (herein called the "resolution") determining that the public interest and convenience require that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214 be annexed, and naming a time and place for hearing on annexation of the territory proposed to be annexed and providing for notice thereof, and

WHEREAS, the resolution, together with the names of the members of the Council voting for and against it, was posted, mailed to property owners in the area proposed to be annexed and published in the time, form and manner required by the resolution and by the Community Facilities Law of 1911 (California Health and Safety Code Section 4600, et seq., herein called the "law") as evidenced by the affidavit of posting and mailing and the affidavit of publication of the resolution on file in the office of the City Clerk, and

WHEREAS, on Tuesday, October 2, 1979, at the hour of 4:00 P.M., at the Council Chambers, City Hall, 801 11th Street, Modesto, California, said hearing was duly held and no objections were presented to the

Council to the annexation of the area proposed to be annexed or to the inclusion of any lands in the District except:

No objections.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto, as follows:

SECTION 1. Any and all objections to the annexation of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214 to the Modesto Municipal Sewer District No. 1 or to the inclusion of any lands in said annexation are hereby overruled.

SECTION 2. The Council hereby determines that no territory or land is included within the boundaries of the territory proposed to be annexed to said Modesto Municipal Sewer District No. 1 which will not be benefited by said district.

SECTION 3. The Council hereby annexes that certain territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214 to the Modesto Municipal Sewer District No. 1.

SECTION 4. The boundaries of the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214, which is hereby annexed to the Modesto Municipal Sewer District No. 1, are hereby established, fixed and finally determined to be as attached hereto and made a part hereof as though set forth in full herein.

SECTION 5. This resolution is adopted and all proceedings for the annexation of territory to the District shall be taken, pursuant to the law.

SECTION 6. A certified copy of this resolution shall be recorded in the office of the County Recorder of Stanislaus County. Upon such recordation, the territory designated as Modesto Municipal Sewer District No. 1 Annexation No. 214, shall be deemed annexed to the Modesto Municipal Sewer District No. 1. Certified copies of this resolution, certified by the City Clerk, together with a map or plat showing the boundaries of the territory annexed, shall be filed by the City Clerk with the County Assessor of Stanislaus County, the County Clerk of Stanislaus County and the State Board of Equalization, Sacramento, California.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By R. A. Hemingway
Public Works Department

130/000-00160-01/15/79

CORRECTED 7-12-79

SUNNYSIDE ANNEXATION

Legal Description

Commencing at the Northwest corner of Section 27, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, thence South 0° 15' East on the west line of said Section 27, also being the centerline of 90 foot wide Coffee Road, 495 feet to the POINT of BEGINNING of this description; thence continuing South 0° 15' East 621.25 feet on said sectionline - centerline; thence North 89° 16' 35" East 132.04 feet; thence North 0° 15' West 152.94 feet to the Northwest corner of Lot 28 of Sunnyside Acres, as shown on that map recorded in Volume 5 of Maps, at Page 45; thence North 74° 27' 42" East 273.30 feet to the Northeast corner of Lot 29 of said Sunnyside Acres; thence South 0° 15' East 305.78 feet along the east line of said Lot 29 to the centerline of 50 foot wide Scenic Drive; thence North 69° 14' East 14.076 feet on said centerline; thence North 0° 15' West 292.38 feet to the Northeast corner of Lot 30 of said Sunnyside Acres; thence North 74° 27' 42" East on the Northerly line of Lot 31 of said Sunnyside Acres 136.65 feet to the centerline of 40 foot wide Sunnyside Avenue; thence North 0° 15' West of said centerline a distance of 646.04 feet to the Northeast corner of Lot 6 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the Northwest corner of said Lot 6; thence South 0° 15' East 330.0 feet to the Southwest corner of Lot 14 of said Sunnyside Acres; thence North 89° 40' West 329.62 feet to the POINT of BEGINNING.

CLERK'S CERTIFICATE

I, Judy C. Hall, City Clerk of the City of Modesto, California, do hereby certify as follows:

The foregoing is a full, true and correct copy of a resolution duly adopted by at least a two-thirds (2/3) vote of all members of the Council at a regular meeting of said Council duly and regularly and legally called and held on due notice on October 2, 1979, of which meeting all of the members of said Council had due notice, and at which two-thirds (2/3) thereof were present and acting:

At said meeting said resolution was introduced upon motion of Councilmember Siefkin, seconded by Councilmember Muratore, and adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original resolution adopted at said meeting and entered in said minutes; and

Said resolution has not been amended, modified or rescinded since the date of its adoption and the same is now in full force and effect.

DATED: October 2, 1979

Judy C. Hall

Acting City Clerk of the City of Modesto, California

(SEAL)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1044

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 2-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (BURKE DEVELOPMENT COMPANY)

WHEREAS, on October 2, 19 79, the City Council introduced Ordinance No. 1881 -C. S. giving approval to a project relating to an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D (245), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 2-3-8 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(245).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1045

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (ARNOLD H. AND DIANNE BERBERIAN GAZARIAN)

WHEREAS, on October 2, 1979, the City Council introduced Ordinance No. 1882- C. S. giving approval to a project relating to an amendment to Section 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to General Commercial Zone, C-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1046

A RESOLUTION ENDORSING THE NEED FOR EMERGENCY MEDICAL HELICOPTER FLIGHT SERVICE TO THE MODESTO/STANISLAUS REGION.

WHEREAS, this Council has determined that there is a need in the Modesto/Stanislaus region of the State of California for emergency medical helicopter flight service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it does hereby endorse that there is a need for emergency medical helicopter flight service to the Modesto/Stanislaus region, and urges all appropriate agencies to take appropriate actions to ensure that such service is made available to the region.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Judy C. Hall
JUDY C. HALL, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1047

A RESOLUTION APPROVING THE FINAL MAP OF THE YOSEMITE PARK NO. 1 SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, RULE ENTERPRISES, a California corporation,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 6.415 acres, known as the Yosemite Park No. 1 Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of October, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Yosemite Park No. 1 Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1048

A RESOLUTION APPROVING THE FINAL MAP OF THE OAKWOOD PARK SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, J. W. J. Development, a general partnership,

is ~~(are)~~ possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 19.094 acres, known as the Oakwood Park Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 18th day of June, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Oakwood Park Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1049

A RESOLUTION ACCEPTING IMPROVEMENTS IN EASTRIDGE PLAZA SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Paul M. Zagaris , subdivider of Eastridge Plaza Subdivision , have filed Subdivision bonds for faithful performance and labor and materials in the amount of $403,600 and $ 201,800 respectively to guarantee improvements in Eastridge Plaza Subdivisio ; and

WHEREAS, the Director of Public Works in a memorandum dated September 20, 1979. indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Eastridge Plaza Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision bond for faithful performance in the amount of $ 403,600 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision bond for labor and materials in the amount of $201,800 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 1979 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1050

A RESOLUTION ACCEPTING IMPROVEMENTS IN BLOOMFIELD NO. 3 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Altamont Builders, Inc., , subdividers of Bloomfield No. 3 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $105,500 and $52,750 respectively to guarantee improvements in Bloomfield No. 3 ; and

WHEREAS, the Director of Public Works in a memorandum dated September 20, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Bloomfield No. 3 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $105,500 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 52,750 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1051

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENWICH VILLAGE NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Wolverine Building Service, Inc. , subdividers of Greenwich Village No. 1 Subdivision , have filed Subdivision bonds for faithful performance and labor and materials in the amount of $ 101,100 and $ 50,550 respectively to guarantee improvements in Greenwich Village No. 1 ; and

WHEREAS, the Director of Public Works in a memorandum dated September 21, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Greenwich Village No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $ 101,100 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $ 50,550 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 19 79 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1052

A RESOLUTION ACCEPTING IMPROVEMENTS IN GREENWICH VILLAGE NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Wolverine Building Service, Inc. , subdividers of Greenwich Village No. 2 Subdivision , have filed Subdivision Bonds for faithful performance and labor and materials in the amount of $73,900 and $ 36,950 respectively to guarantee improvements in Greenwich Village No. 2 ; and

WHEREAS, the Director of Public Works in a memorandum dated September 21, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Greenwich Village No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $ 73,900 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $ 36,950 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 19 79 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1053

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT FOR DISCHARGE OF STORM WATER INTO THE M.I.D. LATERAL NO. 7

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District **for** the discharge of storm water into the M.I.D. Lateral No. 7 in conjunction with the development of Hollandia Villas **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1054

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR WOODLAND-MERCY NO. 2 ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Woodland-Mercy No. 2 Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Woodland-Mercy No. 2

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

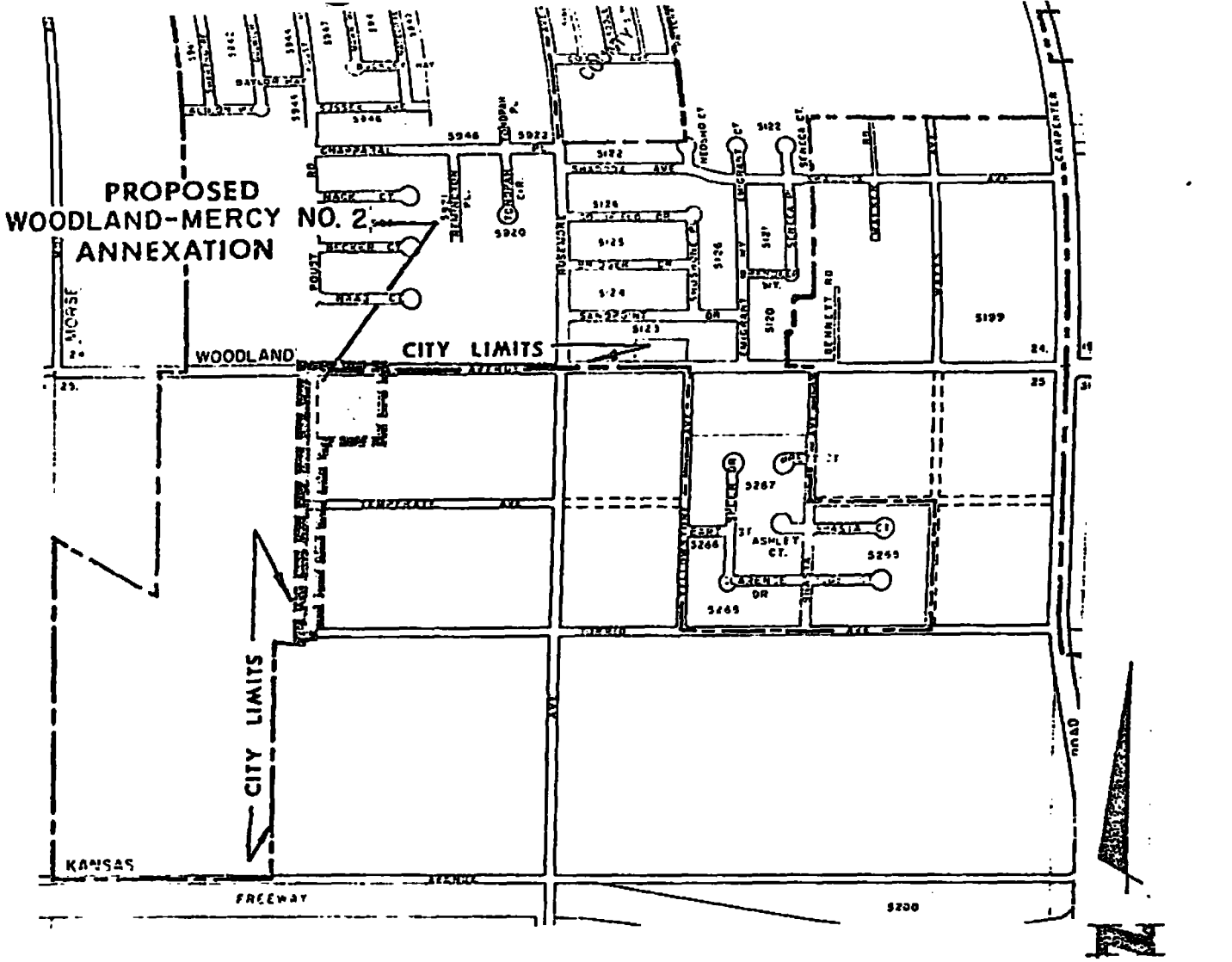
Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

No

5. Other comments the city would like to make.

No.



SCALE · 1" = 1000'

PROPOSED WOODLAND-MERCY NO. 2 ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1055

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR THE CHICAGO AVENUE ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for the Chicago Avenue Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Chicago Avenue Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

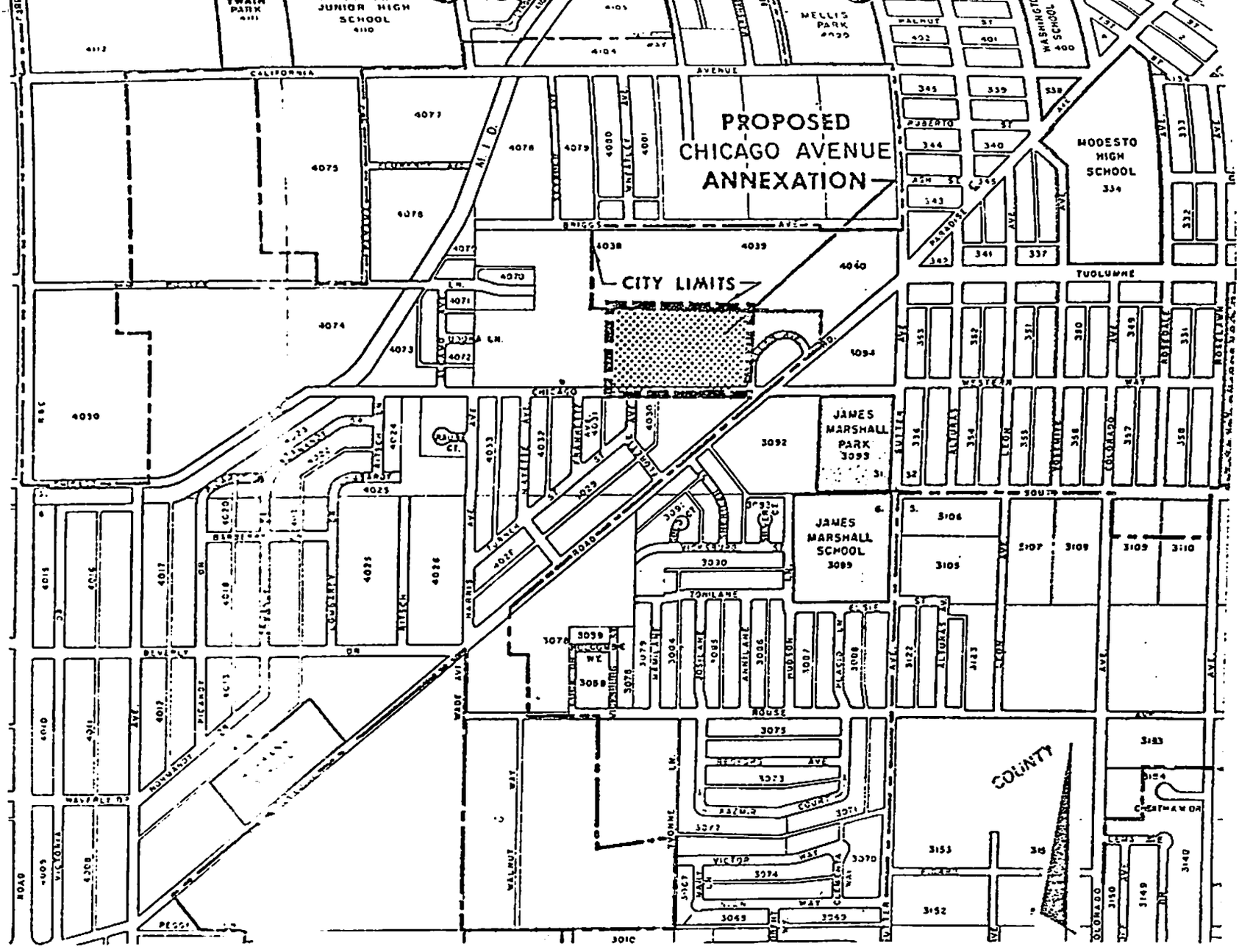
   Yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

   No

5. Other comments the city would like to make.

   None



SCALE · 1" = 1000'

PROPOSED CHICAGO AVENUE ANNEXATION

TO THE CITY OF MODESTO

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1056

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(81) (NINO MASELLIS)

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(81) to allow inclusion of a floor covering extablishment in addition to C-1 uses, property located on the northwest corner of Coldwell Avenue and Tully Road;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-243 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(81) of the Zoning Map be set for November 6, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1057

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON GRANTING AN UNCLASSIFIED USE PERMIT - DOCTORS' HOSPITAL

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1979 , in the Council Chambers, City Hall, for the purpose of considering granting an unclassified use permit for a 24-hour child care facility and for revision to the freestanding and directional hospital signing;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-242 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed granting of an unclassified use permit be set for October 23, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1058

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TIDEWATER SOUTHERN RAILROAD CONCERNING WIDENING OF NEEDHAM STREET CROSSING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Tidewater Southern Railroad **for** widening of Needham Street crossing as part of the Kansas-Needham Phase I project budgeted for construction this fiscal year **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1059

A RESOLUTION APPROVING APPROPRIATION TRANSFER TO THE GENERAL RESERVES OF THE GAS TAX FUND, THE SPECIAL FUND FOR CAPITAL OUTLAYS, AND THE MCHENRY MUSEUM RESTORATION FUND RESULTING FROM 1978-79 CARRYOVER PROJECT ADJUSTMENTS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

SEE ATTACHED SCHEDULE "A"

These projects included in the 1978-79 budget are carryovers from the prior year having balances which when added to previous project expenditures would exceed the original authorized appropriations. More money was spent as of 6/30/79 than was anticipated when carryover balances were estimated. The amounts shown represent the adjustment necessary to bring these projects within the approved funding level.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd **day of** October, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

Amount (31-40)	Acct. (41-44)	Dept. (45-47)	Fund (48-50)	Department or Division Title	Budget Account Title
				TRANSFER FROM:	
9,500	6696-00	020	207	Gas Tax Fund	Canal Crossing
18,050	6751-01	010	207	"	Standiford/Tully Lat. #7
1,650	6760-00	010	207	"	Repair 7th Street Bridge
8,150	6142-00	210	321	Special Fd. for Cap. Outlay	Radio Replacement
114,280	6932-00	210	321	"	Stat. 7 1500 GPM Pumper
24,725	6427-00	270	321	"	Sylvan Ngh. Pk. Stage 2
21,174	8248-00	270	321	"	Soccer Field Land Acq. & Developm
,047	8984-00	270	321	"	Senior Citizens Center
1,560	6019-00	410	321	"	Orchard Area Storm Drain
90,000	6274-00	410	321	Special Fd. for Cap. Outlay	Claus Road Drain Area
15,720	6711-00	410	321	"	Orangeburg/Collier-Coffee
3,275	6761-00	410	321	"	Renovate Downtown Garage
4,693	6787-00	410	321	"	Park Streets
1,440	6972-00	410	321	"	9th/Tully Widen Intersection
4,270	8711-00	410	321	"	Orangeburg/Collier-Coffee
4,700	6365-00	410	321	"	5th & H Streets Sig. Mod.
2,630	6726-00	-	335	McHenry Mansion Restor.	McHenry Mansion Restor.
				TRANSFER TO:	
29,200	60	800	207	Gas Tax Fund	General Reserve
295,034	60	800	321	Special Fd. for Cap. Outlay	"
2,630	60	800	335	McHenry Mansion Restor.	"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1060

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND SECTION 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM PROFESSIONAL OFFICE ZONE, P-O, TO PLANNED DEVELOPMENT ZONE, P-D (243), PROPERTY LOCATED ON THE EAST SIDE OF DALE ROAD, NORTH OF VENEMAN AVENUE. (JOAQUIN CONSTRUCTION COMPANY, INC.)

WHEREAS, a verified application to amend Section 12-3-8 of the Zoning Map was filed by Joaquin Construction Company, Inc. on July 18, 1979, to reclassify from Professional Office Zone, P-O, to Planned Development Zone, P-D(243), to allow construction of a professional office complex including two freestanding banks, savings and loan associations or other financial institutions, property on the east side of Dale Road north of Veneman Avenue, described as follows:

All that certain real property situate in the City of Modesto, County of Stanislaus, State of California, described as follows:

Parcel B as shown on that certain parcel map filed for record on December 2, 1977, in Book 26 of Parcel Maps, Page 26, Stanislaus County records, and being a portion of the Northwest Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

Including also the Easterly 50 feet of Dale Road immediately adjacent to the above said Parcel B,

and

WHEREAS, said application was set for a public hearing before the Planning Commission on August 20, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-221 recommending to the Council an amendment to Section 12-3-8 of the Zoning Map to reclassify from Professional Office Zone, P-O, to Planned Development Zone, P-D(243) the above described property, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on October 2, 1979, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto determined that the proposed rezoning from Professional Office Zone, P-O, to Planned Development Zone, P-D(243), should be denied for the following reason:

> The proposed rezoning is not consistent with the General Plan and the McKinney Colony Neighborhood Zoning and Development Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed rezoning, as recommended by the Planning Commission in its Resolution No. 79-221, to rezone from Professional Office Zone, P-O, to Planned Development Zone, P-D(243), of the above described property, be denied for the reason set forth above, and the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Section 12-3-8 of the Zoning Map of the City of Modesto to rezone certain property located thereon.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 2nd day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Elliott, Lang

ABSENT: Councilmembers: None

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William S. Nichols RSC
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1061

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (245).

WHEREAS, a verified application for an amendment to Section 2-3-8 of the Zoning Map was filed by Burke Development Company on July 18, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D, the following described property:

The westerly 300 feet of the north one-half of the southeast one-quarter of the southeast one-quarter of Section 2, Township 3 South, Range 8 East, Mount Diablo Base and Meridian.

WHEREAS, after public hearing held on August 20, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. This project conforms to the densities called for in the Pelandale Neighborhood Zoning and Development Plan.
2. This project is served by a major and a collector street.
3. This P-D Zone assures compatibility with adjacent land uses.

WHEREAS, after a public hearing held on October 2, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Burke Development Company for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1881-C.S. on the 2nd day of October, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (245).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (245), is hereby approved in accordance with the plan titled "Parkview II Pelandale Road at Honeycreek, Modesto, California", as amended in red on its face, stamped approved by the Planning Commission on August 20, 19 79, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the plan referred to above which is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the north, south, and east property lines.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

6. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

7. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

10. That all signs shall comply with the sign requirements of the R-3 Zone.

11. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded. All public right-of-way dedications and improvements will be conditions of the subdivision map.

12. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

13. That all curbcuts serving two-way driveways shall be widened to 35 feet in width.

14. That the applicant shall install 3 fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (245):

That the entire construction program be accomplished in one phase, construction to begin on or before December 31, 1980, and completion to be not later than December 31, 1981.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (_245_) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the _2nd_ day of _____October_____, 19_79_, by Councilmember __Lang_____, who moved its adoption, which motion being duly seconded by Councilmember ____Kullijian___ _, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Mayor Mensinger

NOES: Councilmembers: Muratore, Siefkin

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Bright
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1062

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR A TWO-WAY RADIO COMMUNICATIONS SYSTEM FOR THE CITY"S FIXED ROUTE BUS SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for a two-way radio communications system for the City's fixed route bus system **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 26, 1979 at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** October**, 19**79**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Elliott**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1063

A RESOLUTION APPROVING REVISED SPECIFICATIONS AND AUTHORIZING NEW CALL FOR BIDS FOR FURNISHING ONE POLICE PATROL MOTORCYCLE

WHEREAS, Resolution No. 79-833, adopted by the Council of the City of Modesto on August 14, 1979, approved the plans and specifications for furnishing one police patrol motorcycle, and authorized the call for bids; and

WHEREAS, the bids were opened at 2:15 p.m. on September 25, 1979, in the office of the City Clerk, to be tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, due to a poor showing by potential bidders for various reasons expressed by the distributors, it is recommended that the Council approve specifications revised to drop the bond requirement and authorize a new call for bids to be opened November 6, 1979, at 2:00 p.m. for furnishing one police patrol motorcycle.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that revised specifications be approved and a new call for bids be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1064

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE FOR CONSTRUCTION OF A LIFT STATION AND SUBTRUNK SEWER IN TORRID AVENUE AND DIABLO AVENUE

WHEREAS, Resolution No. 79-943, adopted by the Council of the City of Modesto on September 11, 1979, approved the plans and specifications for the construction of a lift station and subtrunk sewer in Torrid and Diablo Avenues and authorized the calling for bids; and

WHEREAS, the bids received for the construction of a lift station and subtrunk sewer in Torrid Avenue and Diablo Avenue were opened at 11:00 a.m. on October 2, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Western Pipeline in the amount of $70,566 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Pipeline in the amount of $70,566 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1065

A RESOLUTION ACCEPTING THE BID OF BEPCO, INC. FOR THE REPAIR OF THE EMERALD TRUNK LINE AT ROBERTSON ROAD

WHEREAS, Resolution No. 79-942, adopted by the Council of the City of Modesto on September 11, 1979, approved the plans and specifications for the repair of the Emerald trunk line at Robertson Road and authorized the calling for bids; and

WHEREAS, the bids received for the the repair of the Emerald trunk line at Robertson Road were opened at 11:15 a.m. on September 25, 1979 and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Bepco, Inc. in the amount of $97,700.00 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Bepco, Inc. in the amount of $97,700.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1066

A RESOLUTION ACCEPTING THE BID OF SIERRA ROOFING FOR THE REROOFING OF THE POLICE STATION

WHEREAS, Resolution No. 79-980, adopted by the Council of the City of Modesto on September 18, 1979, approved the plans and specifications for the the reroofing of the Police Station and authorized the calling for bids; and

WHEREAS, the bids received for the reroofing of the Police Station were opened at 11:15 a.m. on October 2, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Sierra Roofing in the amount of $9,425 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Sierra Roofing in the amount of $9,425 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1067

A RESOLUTION ACCEPTING THE BID OF D.K. LANE dba WESTERN APPLICATORS FOR THE REPAIR ON THE URETHANE FOAM INSTALLATION ON THE PRIMARY DIGESTER AT THE CITY OF MODESTO WATER QUALITY CONTROL PLANT

WHEREAS, Resolution No.79-981, adopted by the Council of the City of Modesto on September 18, 1979 , approved the plans and specifications for the repair on the urethane foam installation on the primary digester and authorized the calling for bids; and

WHEREAS, the bids received for the repair on the urethane foam installation on the primary digester at the City of Modesto Water Quality Control Plant were opened at 11:05 a.m. on October 2, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of D.K. Lane dba Western Applicators in the amount of $29,870 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of D.K. Lane dba Western Applicators in the amount of $29,870 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1068

A RESOLUTION ACCEPTING THE BID OF WESTERN PIPELINE FOR CONSTRUCTION OF THE NORTHWEST TRUNK SEWER

WHEREAS, Resolution No.79-944, adopted by the Council of the City of Modesto on September 11, 1979 , approved the plans and specifications for the construction of the northwest trunk sewer
and authorized the calling for bids; and

WHEREAS, the bids received for the construction of the northwest trunk sewer
were opened at 11:10 a.m. on October 2, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Western Pipeline in the amount of $264,100
be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Western Pipeline in the amount of $264,100
be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1069

EASEMENT

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND PAUL ZAGARIS IN THE AMOUNT OF $877 INCLUDING REIMBURSEMENT FOR CERTAIN ENGINEERING COSTS INCURRED AS A RESULT OF CITY CHANGING TRUNK SEWER SIZE

BE IT HEREBY RESOLVED by the Council of the City of Modesto easement **that the/agreement between the City of Modesto and** Paul Zagaris in the amount of $877 to include reimbursement for certain engineering costs incurred as a result of City changing trunk sewer size and preparation of easement description

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** October, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1070

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR ONE AUTOMOTIVE FLOOR HOIST

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, informal bids were opened on September 10, 1979, for the purchase of one automotive floor hoise; and

WHEREAS, the price of $4,345.00 by Atlas Hydraulic Corporation is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,345.00 to Atlas Hydraulic Corporation for furnishing one automotive floor hoist is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1071

A RESOLUTION ACCEPTING THE CONSTRUCTION OF REPAIRS AND IMPROVEMENTS TO THE CITY HALL PARKING DECK AS COMPLETE

WHEREAS, a report has been filed by the Director of Parking and Traffic that the construction of repairs and improvements to the City Hall parking deck has been completed by The Flintkote Company

in accordance with the contract agreement dated October 2, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of repairs and improvements to the City Hall parking deck be accepted from said contractor, The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $20,205 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1072

A RESOLUTION REJECTING ALL BIDS SUBMITTED FOR THE REPIPING OF CARVER-SCOTT LIFT STATION

WHEREAS, Resolution No. 79-904, adopted by the Council of the City of Modesto on September 4, 1979, approved the plans and specifications for the repiping of the Carver-Scott lift station and authorized the calling for bids; and

WHEREAS, the bids received for the repiping of the Carver-Scott lift station, were opened at 11:10 a.m. on September 25, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, only one bid was received and this bid is 27% above the Engineer's estimate; and

WHEREAS, it is recommended by the Public Works Department that this bid be rejected and the project be rebid at a later date,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bids received for the repiping of the Carver-Scott lift station and opened in the office of the City Clerk at 11:10 a.m. on September 25, 1979, are hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall

JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1073

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 72-92 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(211)" AS AMENDED BY RESOLUTION NO. 79-95.

WHEREAS, the City Council, by Ordinance No. 1807-C. S. which was introduced on January 23, 1979, finally adopted on February 6, 1979, and which became effective on March 8, 1979, amended Sections 10-3-9 and 15-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, and a portion of Planned Development Zone, P-D(125) to a new Planned Development Zone, P-D(211), property located on the west side of Oakdale Road between Sylvan Avenue and Floyd Avenue in the City of Modesto to allow single family residential, cluster housing, apartments, professional offices, a bank, restaurant, lake and private parks, and

WHEREAS, City Council Resolution No. 79-72 was adopted on January 23, 1979, and approved the development plan for P-D(211) and contained the conditions of approval thereof, and

WHEREAS, City Council Resolution No. 79-95 which was adopted on February 6, 1979, amended Section 1 of Resolution No. 79-72 referred to above to add an additional condition thereto, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(211) was filed by Naraghi Farms, Inc. on July 26, 1979, to amend Planned Development Zone, P-D(211) to permit higher density residential development and change project phasing on the property located on the west side of Oakdale Road between Sylvan Avenue and Floyd Avenue in the City of Modesto, and

WHEREAS, said application was set for a public hearing before the Planning Commission on August 20, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary,

the Planning Commission, by its Resolution No. 79-224, found and determined that an amendment to P-D(211) to permit higher density residential development and change project phasing is required by public necessity, convenience, and general welfare for the following reasons:

1. The total number of dwelling units, a maximum of 1650, is within the total number envisioned in the Coffee-Sylvan Zoning and Development Plan.

2. The P-D Zone and conditions of approval insure a degree of compatibility consonant with surrounding properties, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801-11th Street, Modesto, California, on October 9, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit higher density residential development and change project phasing in Planned Development Zone, P-D(211) is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 79-224 and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(211),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 79-72, entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(211)" as amended by Resolution No. 79-95,are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(211) is hereby approved in accordance with the plan titled "Naraghi Lakes", as amended in red on its face, stamped approved by the Planning

Commission on August 20, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit within any phase of development, except for single family houses on individual lots shown on the approved plan, the applicant shall submit detailed plot plans for that phase in accordance with Section 10-2.2708 of the Modesto Municipal Code for review by the Planning Commission. Standard and special conditions normally part of P-D approval will be attached to the various plans for each phase.

3. That prior to the issuance of a building permit or the subdivision of land within the P-D Zone, evidence shall be submitted in a form satisfactory to the City Attorney that a Homeowners' Association has been created to guarantee common open space improvement and maintenance, including the two park areas, all lake or water course areas, and all common landscaping areas.

4. That the maintenance and water quality of Lake Urmia shall be as required by the City Engineer.

5. That upon demand by the city, the developer shall dedicate additional right-of-way to complete Oakdale Road and Sylvan Avenue to a major street standard and Floyd Avenue to a collector street standard in accordance with the requirements of the Director of Public Works.

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(211):

That the development be accomplished in four (4) phases as shown on the attached drawing entitled "Phasing for P-D(211)", which drawing is attached hereto marked Exhibit "A" and made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 79-72 approved by the Council on January 23, 1979, and Resolution No. 79-95 approved by the Council on February 6, 1979, shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(211).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

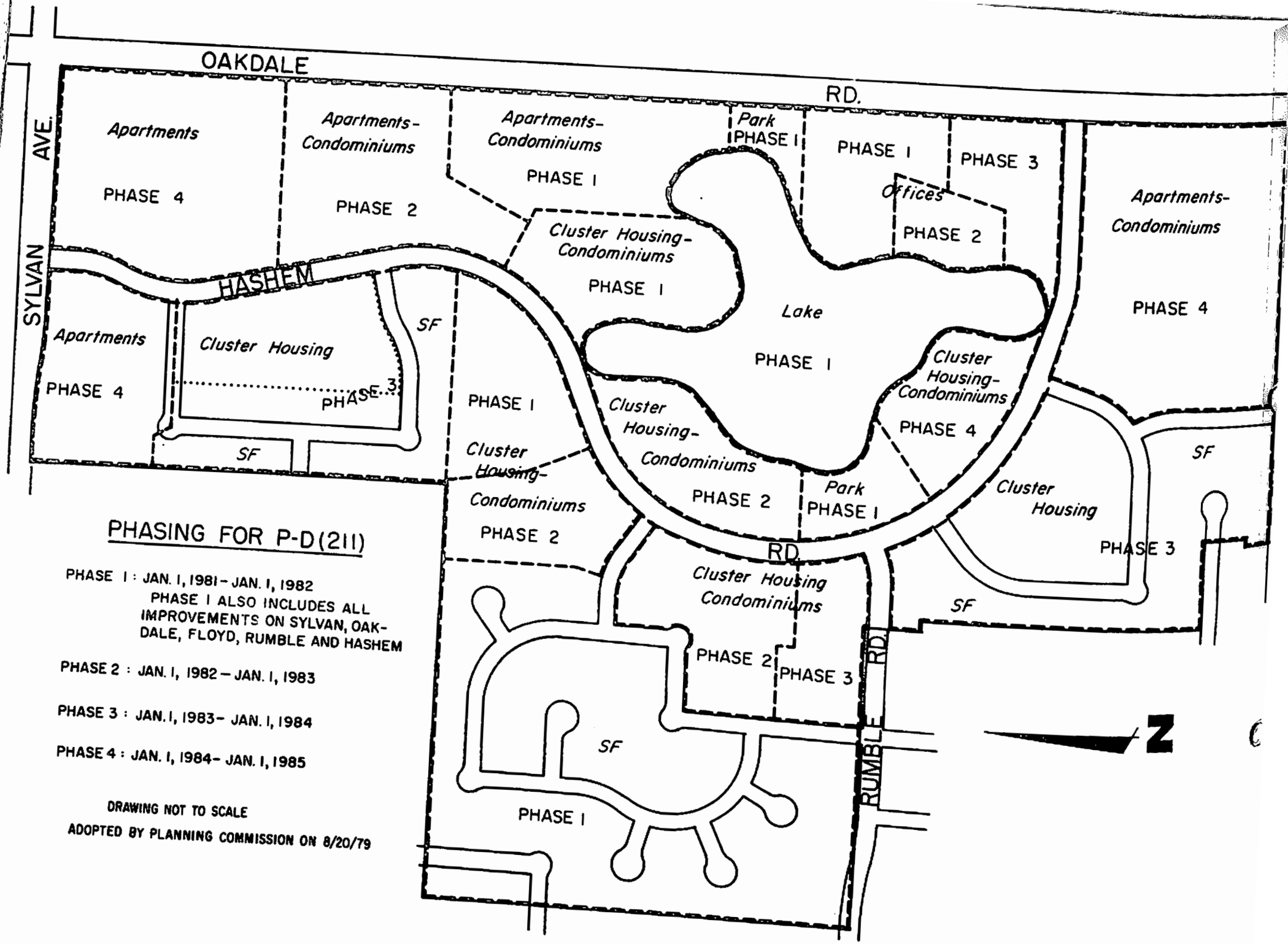
ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney



PHASING FOR P-D(211)

PHASE 1 : JAN. 1, 1981 – JAN. 1, 1982
PHASE 1 ALSO INCLUDES ALL IMPROVEMENTS ON SYLVAN, OAKDALE, FLOYD, RUMBLE AND HASHEM

PHASE 2 : JAN. 1, 1982 – JAN. 1, 1983

PHASE 3 : JAN. 1, 1983 – JAN. 1, 1984

PHASE 4 : JAN. 1, 1984 – JAN. 1, 1985

DRAWING NOT TO SCALE

ADOPTED BY PLANNING COMMISSION ON 8/20/79

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1074

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (FRANCIS FERO)

WHEREAS, on October 9, 19 79, the City Council introduced Ordinance No. 1886 -C. S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1075

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (244).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Tully-Rumble Partnership on July 18, 1979, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All of Parcels A and B as shown on that certain Parcel Map filed May 8, 1968, in Volume 5 of Parcel Maps, at Page 66 in the Stanislaus County Records; and being a portion of the Southeast quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian.

Including also the Westerly 45 feet of Tully Road immediately adjacent to the above said Parcel A and B.

WHEREAS, after public hearing held on August 20, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone will allow ownership of individual units rather than only rental occupancy of the complex, most of which has been developed as previously approved.

2. The conditions of approval will assure that the development will be reconstructed and maintained to the best interests of the general public as well as the individual property owners.

WHEREAS, after a public hearing held on October 9, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Tully-Rumble Partnership for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1887-C.S. on the 9th day of October, 19 79, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (244).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (244), is hereby approved in accordance with the plan titled "Tully-Rumble Condominiums", as amended in red on its face, stamped approved by the Planning Commission on August 20, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above entitled plan which is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit for phase two, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That all private streets and parking areas in phase two shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

5. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

6. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

7. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer. Any lights on the tennis court shall be turned off by 10:00 p.m. each day.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

10. That prior to recordation of the subdivision map, the developer shall provide a vehicular accessway for onsite traffic circulation for the benefit of the property to the north, substantially as shown in red on the plot plan and in a manner approved by the City Attorney.

11. That all signs shall comply with the sign requirements of the R-2 Zone.

12. That prior to the sale of any condominium units a subdivision map shall be recorded. Phase II development may be excluded from the subdivision of phase I but in that event shall be subdivided separately prior to sale of condominiums in phase II.

13. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities and private property in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map.

14. That all conditions of Planning Commission Resolution No. 77-92 not in conflict with this action shall remain in full force and effect.

15. That prior to the issuance of a certificate of occupancy, the developer shall obtain certification from the Chief Building Official that the present and future construction conforms to all building and fire safety standards for condominiums established by the Chief Building Official.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (244) .

That the construction program be accomplished in two phases as follows:

Phase I shall include the existing 10 dwelling units, start of construction to be on or before November 1, 1980, and completion to be not later than November 1, 1981.

Phase II to include the 4 additional units, construction to begin on on or before November 1, 1982, completion to be not later than November 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (_244_) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the _9th_ day of _____October_____, 1979_, by Councilmember ____Elliott_____, who moved its adoption, which motion being duly seconded by Councilmember ____Lang_____, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

(SEAL)

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1076

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (TULLY-RUMBLE PARTNERSHIP)

WHEREAS, on October 9, 1979, the City Council introduced Ordinance No. 1887 -C. S. giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(244), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(244).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1077

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(161) - JIM PRICE

WHEREAS, the Modesto City Planning Commission held a public hearing on September 17, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(161) to allow a 164-unit condominium conversion, property located on the north side of Rumble Road, east of Sherwood Avenue;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-239 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(161) of the Zoning Map be set for November 6, 1979, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1078

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR GOMES VISTA ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Gomes Vista Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Gomes Vista

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

Yes

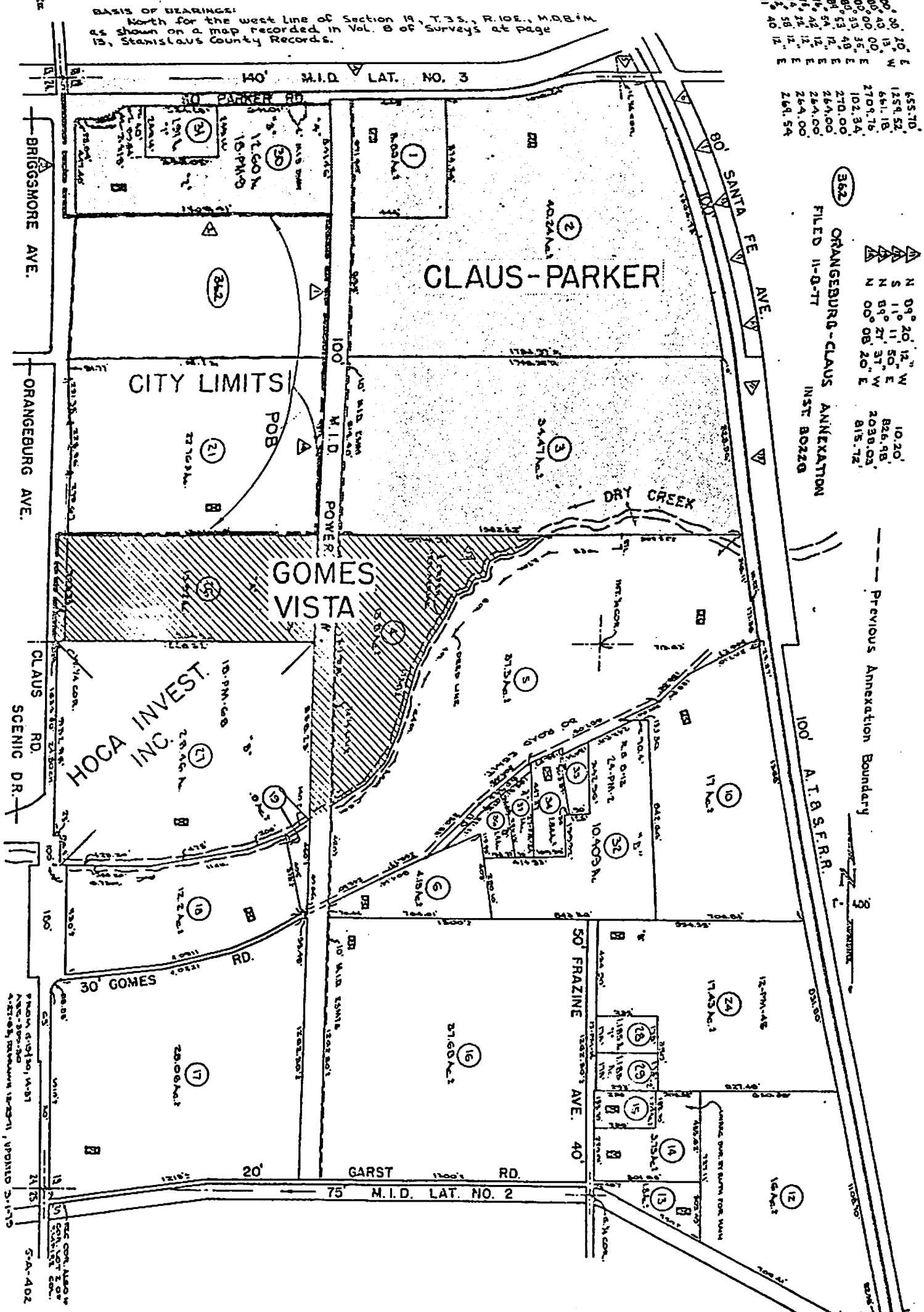
4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

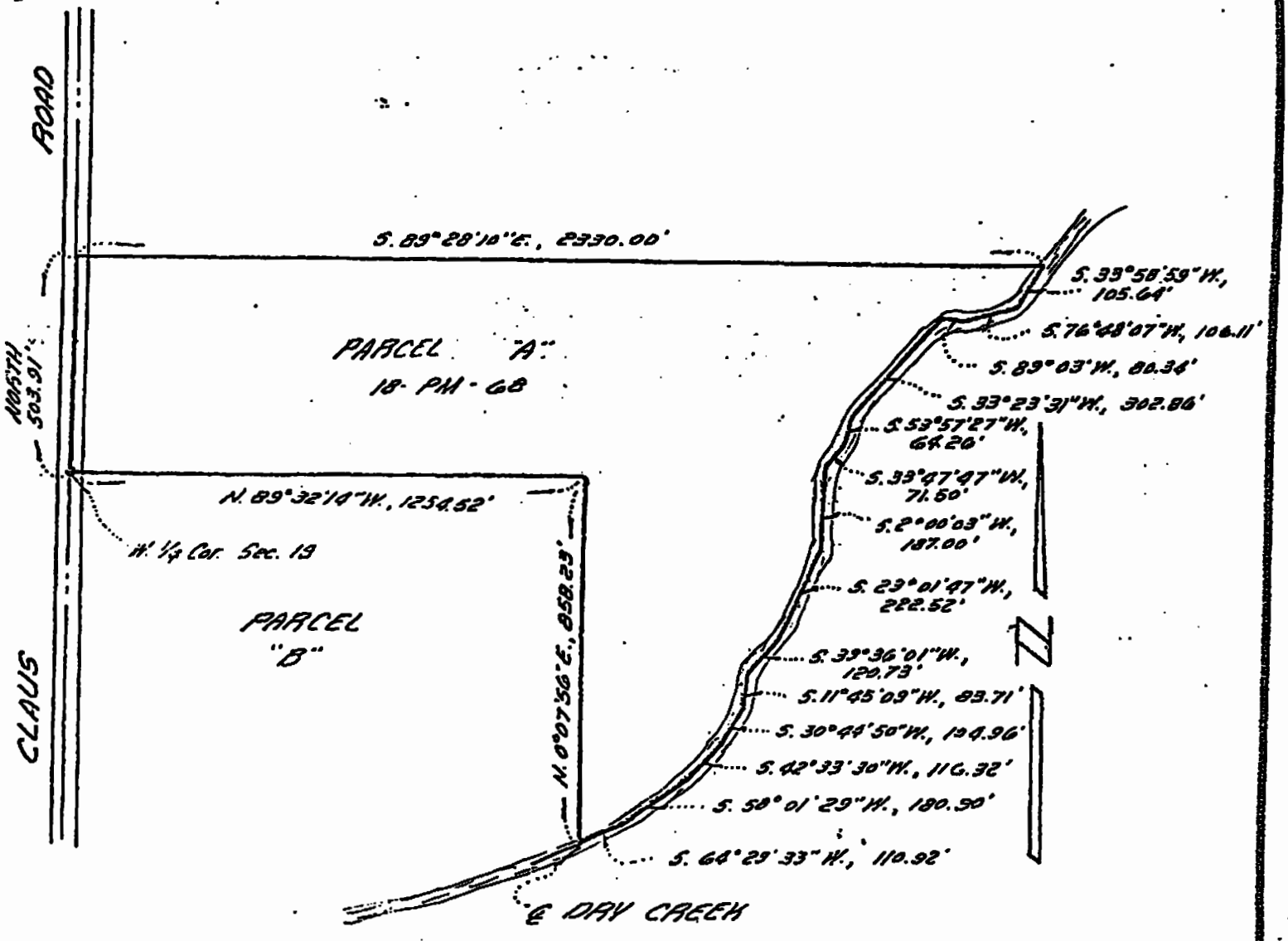
Yes, due to the fact that LAFCO is considering the Claus-Parker and the Gomes Vista Annexation on the same agenda, the City of Modesto requests that LAFCO combine the two annexations and include the adjacent parcel (14-37-27) owned by HOCA Investments Inc. as the Claus-Parker Annexation.

5. Other comments the city would like to make.

A. The City of Modesto has attempted to designate all annexations by adjacent street names to facilitate locating them. The use of personal names (i.e. Gomes Vista) creates confusion. If approved as submitted, the annexation should be named Claus-Parker No.2

B. The submitted map and description are not in a form acceptable to the City of Modesto.


BASIS OF BEARINGS:
North for the west line of Section 19, T.3S., R.10E., M.D.B.&M. as shown on a map recorded in Vol. 8 of Surveys at page 13, Stanislaus County Records.
140' M.I.D. LAT. NO. 3
PARKER RD.
BRIGGSMORE AVE.
ORANGEBURG AVE.
CLAUS RD.
SCENIC DR.
80' SANTA FE AVE.
100'
CLAUS-PARKER
CITY LIMITS
POB
M.I.D. POWER
DRY CREEK
GOMES VISTA
HOCA INVEST. INC.
30' GOMES RD.
50' FRAZINE AVE.
40'
20' GARST RD.
75' M.I.D. LAT. NO. 2
100' A.T.&S.F.R.R.
Previous Annexation Boundary
(362) ORANGEBURG-CLAUS ANNEXATION
FILED 11-Q-77
INST. 80229
N 89° 20' 12" W 10.20'
S 1° 11' 50" E 826.98'
N 89° 27' 37" W 2038.03'
N 00° 08' 20" E 815.72'
N 89° 20' 12" W 655.70'
S 1° 11' 50" E 1259.52'
N 89° 27' 37" W 661.18'
N 00° 08' 20" E 2709.76'
S 89° 53' 49" E 102.34'
S 89° 53' 49" E 270.00'
S 89° 53' 49" E 264.00'
S 89° 53' 49" E 264.00'
S 89° 53' 49" E 264



VALLEY ENGINEERING P. O. BOX 816 MODESTO, CALIFORNIA 95353 Department of Public Works City of Modesto, California Approved: _____	PLAT TO ACCOMPANY THE GOMES VISTA ANNEXATION TO CITY OF MODESTO, CA.	Scale: No Scale	Sheet 2
		Date: Sept. 1979 Revised:	of 2
			FILE NUMBER
	Drawn: Iher / Checked: / W.O. No.:		

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1079

A RESOLUTION ADOPTING A POLICY FOR SELECTING ENGINEERING/ARCHITECTURAL CONSULTANTS

WHEREAS, the City Council deems it desirable to adopt a policy for selection procedures for professional engineering/architectural consultants.

BE IT HEREBY RESOLVED that the City Council of the City of Modesto adopts the policy statement regarding the selection of engineering/ architectural consultants as follows:

"All other factors being equal, consultants whose qualifications are satisfactory, who have sufficient experience and capabilities for providing the necessary professional services and who have offices within the City or are regularly doing professional work on City projects shall normally be given priority in being considered for employment by the City. Otherwise, consultants outside of the immediate area or not regularly doing professional work on City projects shall be considered for employment for the particular project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1080

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MODESTO IRRIGATION DISTRICT TO CROSS LATERAL NO. 7 AT CONANT AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Modesto Irrigation District for crossing Lateral No. 7 at Conant Avenue for street maintenance purposes be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1081

A RESOLUTION APPROVING COOPERATIVE AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY TO WIDEN AND RECONSTRUCT MITCHELL ROAD FROM FINCH TO TENAYA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the cooperative agreement **between the City of Modesto and** Stanislaus County for widening of pavement from two to four lanes , add new traffic signals, drainage facilities, and curbs on Mitchell Road from Finch to Tenaya

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th **day of** October, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1082

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CLAUD A. LYNG FOR THE ACQUISITION OF 0.169± ACRES OF RIGHT OF WAY NEEDED FOR THE BRIGHTON AVENUE/WYLIE TO SCENIC PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Claud A. Lyng for the acquisition of 0.169± acres of right of way needed for the Brighton Avenue/Wylie to Scenie project is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

PROJECT NO. Various

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1083

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON REPORT OF WORK AND COST OF CONSTRUCTION OF IMPROVEMENTS ALONG CERTAIN STREETS IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that November 13, 1979, at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of the attached reports by the Superintendent of Streets on the cost of construction of improvements as described in such reports.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

a. Sidewalk along Brady Avenue at 1224 Brady Avenue, Lot 12 of Block 6004. (George W. Jewett - $352.00)

b. Sidewalk at 2617 Brenner Way, Lot 3 of Block 7255. (Joel Butler - $325.00)

c. Sidewalk at 2521 Brenner Way, Lot 12 of Block 7255. (Lyndell C. Halbert - $185.00)

d. Curb and sidewalk at 2621 Brenner Way, Lot 2 of Block 7255. (James B. Perry - $760.00)

e. Sidewalk along Carlton Avenue and Barham Court at 801 Barham Court, Lot 4 of Block 6125. (Fred M. Kisner - $979.60)

f. Curb and sidewalk along Campus Way at 216 Campus Way, Lot 1 of Block 450. (Paul Benningfield - $1331.25)

g. Sidewalk along Del Vale Avenue at 1600 Pearl Street, a portion of Block 6081. (Donald D. Hamilton - $274.00)

h. Sidewalk along Del Vale Avenue at 1444 Del Vale Avenue, Lot 28 of Block 6080. (Hill and Trousdale - $465.00)

i. Sidewalk along Del Vale Avenue and Cherrywood Drive at 1541 Cherrywood Drive. Lot 22 of Block 6023. (Dilwyn B. Studebaker - $614.00)

j. Curb and sidewalk at 1128 Floyd Avenue, a portion of Block 12930. (Merlin T. Denlinger - $884.00)

k. Curb and sidewalk at 1132 Floyed Avenue, a portion of Block 12930. (Sheila A. Duckworth - $1316.50)

l. Curb and sidewalk at 1204 Floyed Avenue, a portion of Block 12930. (Clifford E. Ingram - $1416.00)

m. Curb and sidewalk at 1208 and 1216 Floyd Avenue, a portion of Block 12930. (William R. Merritt, Jr. - $2374.00)

n. Curb and sidewalk along Foy Street at 132 Maynel Avenue, Lot 36 and 37 of Block 558. (Theodore W. Werning - $1460.00)

o. Curb and sidewalk along Franklin Avenue at 325 Maze Blvd., Lot 1 and 2 of Block 421. (H.W. Garber - $1910.00)

p. Curb and sidewalk along Franklin Avenue at 523 Franklin Avenue, a portion of Block 4091. (Mary A. Webb - $1113.00)

q. Sidewalk repair along "G" Street and Tenth Street at 1012 "G" Street, a portion of Block 71. (Elmo E. Wilson - $710.00)

r. Curb and sidewalk at 322 W. Granger Avenue, a portion of Block 6130. (National Medical Developement Corp. - $810.00)

s. Sidewalk at 1422 Leonard Avenue, a portion of Block 901. (Alvin R. Rumsey - $442.00)

t. Sidewalk along Norwegian Avenue at 1905 Valle Vista Avenue, a portion of Block 6905. (Jesse B. Pinedo - $398.00)

u. Curb along Palm Avenue and Melrose Avenue at 501 Palm Avenue, a portion of Block 664. (Helen Rubino - $1709.00)

v. Curb along Rosemont Avenue and Sierra Drive at 102 Rosemont Avenue, Lot 43 and 44 of Block 327. (Charles R. Bullard - $950.00

w. Curb at 132 Rosemont Avenue, Lot 29 and 30 of Block 327. (Shirley J. Dunn - $360.00)

x. Curb at 121 Rosemont Avenue, Lot 11 and 12 of Block 326. (Juan Martinez - $330.00)

y. Curb at 112 Rosemont Avenue, Lot 39 and 40 of Block 327. (Pearl B. McMillen - $330.00)

z. Curb and sidewalk at 153 S. Santa Cruz Avenue, Lot 5 and 6 of Block 2053. (Richard F. Bettencourt - $2356.25)

aa. Curb and sidewalk at 137 S. Santa Cruz Avenue, a portion of Block 2053. (Benjamin L. Zakarian - $975.00)

bb. Curb and sidewalk along "O" Street at 1430 Tenth Street, Lots 27-32 of Block 63. (Tsuneo Iwata - $1373.00)

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1084

A RESOLUTION ACCEPTING FEDERAL GRANT FOR BUS OPERATING COSTS INCURRED DURING FISCAL YEAR 1978-79 AND AUTHORIZING CITY MANAGER TO EXECUTE GRANT CONTRACTS

WHEREAS, the City of Modesto has been awarded a federal grant in the amount of $263,232.00, to reimburse the City for 50% of the new operating cost of its bus services incurred during fiscal year 1978-79; and

WHEREAS, the remaining 50% of the net cost will come from the Local Transportation Fund.

NOW, THEREFORE BE IT RESOLVED that the execution of the grant offer by the City's designated official, Garth Lipsky, City Manager, be and it is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Kullijian

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1085

A RESOLUTION APPROVING THE FINAL MAP OF THE VINTAGE GROVE SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, West-Sun Development Company Limited, a Nevada corporation

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.643 acres, known as the Vintage Grove Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 17th day of October, 19 78, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Vintage Grove Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 9th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Judy C Hall
JUDY C. HALL, Acting City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1086

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF SEVENTH STREET BRIDGE TRUSS SUPPORT FOR SPAN 13

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of Seventh Street bridge truss support for span 13 **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 20, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1087

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSIONS IN WOODLAND AVENUE, MARSALA WAY AND HONEY CREEK ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the construction of waterline extensions in Woodland Avenue, Marsala Way and Honey Creek Road **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on October 30, 1979, at 11:00 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19**79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1088

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR INSTALLATION OF TRAFFIC SIGNALS AT TULLY ROAD/WOODROW AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for installation of traffic signals at Tully Road/Woodrow Avenue **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 16, 1979, at 2:00 p.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1089

A RESOLUTION ACCEPTING THE BID OF SPM DEVELOPMENT COMPANY FOR THE CONSTRUCTION OF POLICE BUILDING WHEEL CHAIR ACCESS RAMP

WHEREAS, Resolution No. 79-1002, adopted by the Council of the City of Modesto on September 27, 1979 , approved the plans and specifications for the construction of Police building wheel chair access ramp and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Police building wheel chair access ramp were opened at 11:00 a.m. on October 9, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of SPM Development Company in the amount of $6,543.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of SPM Development Company in the amount of $6,543.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October , 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1090

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ADDITIONAL RIP RAP ON OXIDATION POND LEVEES AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** additional rip rap on oxidation pond levees **has been completed by** Lee White Paving Company

in accordance with the contract agreement dated July 17, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of additional rip rap on oxidation pond levees **be accepted from said contractor,** Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $15,492.38 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1091

A RESOLUTION ACCEPTING THE CONSTRUCTION OF CURB AND GUTTER ON BRIGGSMORE FROM TULLY ROAD TO MCHENRY AVENUE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works **that the construction of** curb and gutter on Briggsmore from Tully Road to McHenry Avenue **has been completed by** The Flintkote Company

in accordance with the contract agreement dated August 7, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of curb and gutter on Briggsmore from Tully Road to McHenry Avenue **be accepted from said contractor,** The Flintkote Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $19,618.75 **as provided in the contract, be authorized.**

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1092

A RESOLUTION ACCEPTING THE CONSTRUCTION OF THE REMODELING OF THE SENIOR CITIZEN'S CENTER AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of remodeling of the Senior Citizen's Center has been completed by William M. Mineni

in accordance with the contract agreement dated September 28, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of remodeling of the Senior Citizen's Center be accepted from said contractor, William M. Mineni;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $233,431 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1093

A RESOLUTION OVERRULING A PORTION AND APPROVING A PORTION OF THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND SECTION 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO MEDIUM DENSITY RESIDENTIAL ZONE, R-2, AND MEDIUM HIGH DENSITY RESIDENTIAL ZONE, R-3, PROPERTY LOCATED AT THE SOUTHWEST CORNER OF BRIGGSMORE AVENUE AND CLAUS ROAD. (MAWCO DEVELOPMENT)

WHEREAS, a verified application to amend Section 24-3-9 of the Zoning Map was filed by Mawco Development on August 8, 1979, to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, property located at the southwest corner of Briggsmore Avenue and Claus Road, described as follows:

R-1 to R-2

All that certain real property situate in a portion of the Northeast one quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

BEGINNING at the Northwest corner of "Parcel 1" as shown on that certain map filed in Volume 12 of Parcel Maps, at Page 91, Stanislaus County Records; thence North 89° 35' 00" East along the North line of said "Parcel 1" and along the South line of Briggsmore Avenue, as shown on said map, a distance of 250.00 feet; thence South 0° 48' 44" East along a line parallel with distant 250.00 feet Northeasterly, from the West line of said "Parcel 1" and "Parcel 2", as shown on said map, measured at right angles, a distance of 637.07 feet; thence South 89° 19' 54" East along a line parallel with and distant 125.00 feet Northeasterly, measured at right angles, from the South line of said "Parcel 2", a distance of 405.40 feet to the intersection with the centerline of Claus Road, as shown on said map; thence South 0° 47' 00" East along said centerline, a distance of 125.00 feet to the intersection with the Easterly prolongation of the South line of said "Parcel 2"; thence North 89° 19' 54" West along said Easterly prolonged line and along said South line of "Parcel 2", a distance of 655.41 feet to the Southwest corner of said "Parcel 2"; thence North 0° 48' 44" West along the West line of said "Parcels 1 and 2", a distance of 757.34 feet to the point of beginning.

Including also all that portion of Briggsmore Avenue and the Modesto Irrigation Districts Lateral No. 3 that is situated between the North line of said Section 24 and the South line of Briggsmore Avenue.

Contains 5.37 Ac. net

R-1 to R-3

ALL that certain real property situate in a portion of the Northeast one quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, and lying within the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the Northwest corner of "Parcel 1" as shown on that certain map filed in Volume 12 of Parcel Maps, at Page 91, Stanislaus County Records; thence North 89° 35' 00" East along the North line of said "Parcel 1" and along the South line of Briggsmore Avenue, as shown on said map, a distance of 250.00 feet to the point of beginning of the description; thence continuing along last named line North 89° 35' 00" East, a distance of 405.59 feet to the intersection with the centerline of Claus Road, as shown on said map; thence South 0° 47' 00" East, along said centerline, a distance of 644.75 feet to the intersection with the Easterly prolongation of a line parallel with and distant 125.00 feet Northeasterly, measured at right angles, from the South line of "Parcel 2", as shown on said map; thence North 89° 19' 54" West along said Easterly prolonged line and said parallel line, a distance of 405.40 feet; thence North 0° 48' 44" West along a line parallel with and distant 250.00 feet Northeasterly, measured at right angles, from the West line of said "Parcels 1 and 2", a distance of 637.07 feet to the point of beginning.

Including all that portion of Briggsmore Avenue, Modesto Irrigation Districts Lateral No. 3 and Claus Road that is situated between the North line of the above described property and the North line of said Section 24.

Contains 5.22 Ac. net

and

WHEREAS, said application was set for a public hearing before the Planning Commission on September 4, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, the Planning Commission, by its Resolution No. 79-233, adopted on September 4, 1979, found and determined that rezoning of the property as requested was required by public necessity, convenience and general welfare for the following reasons:

1. The R-3 density fronting on Claus Road generally conforms to the Lakewood Neighborhood Zoning and Development Plan.

2. The R-2 zoning is an appropriate transition between the zero-lot line project to the west (P-D 204) and the R-3 on Claus,

and

WHEREAS, the Planning Commission by said Resolution No. 79-233 recommended to this Council an amendment to Section 24-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, the above described property, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before this Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on October 16, 1979, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, this Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, this Council finds and determines that rezoning the portion of the above described property along Vicki Lynn Way from Single Family Residential Zone, R-1, to Medium Density Residential Zone, R-2, should be denied for the following reasons:

1. The requested R-2 zoning along Vicki Lynn Way does not conform to the Lakewood Neighborhood Zoning and Development Plan.

2. The requested R-2 zoning along Vicki Lynn Way would result in an undue high density for this portion of the Lakewood Neighborhood,

and

WHEREAS, after said public hearing, this Council finds and determines that rezoning the remainder of the above-described property from Single Family Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, as recommended by the Planning Commission, is in accordance with the General Plan and will serve the public health, safety, and general welfare, and should be granted for the following reasons:

1. The R-3 density fronting on Claus Road generally conforms to the Lakewood Neighborhood Zoning and Development Plan.

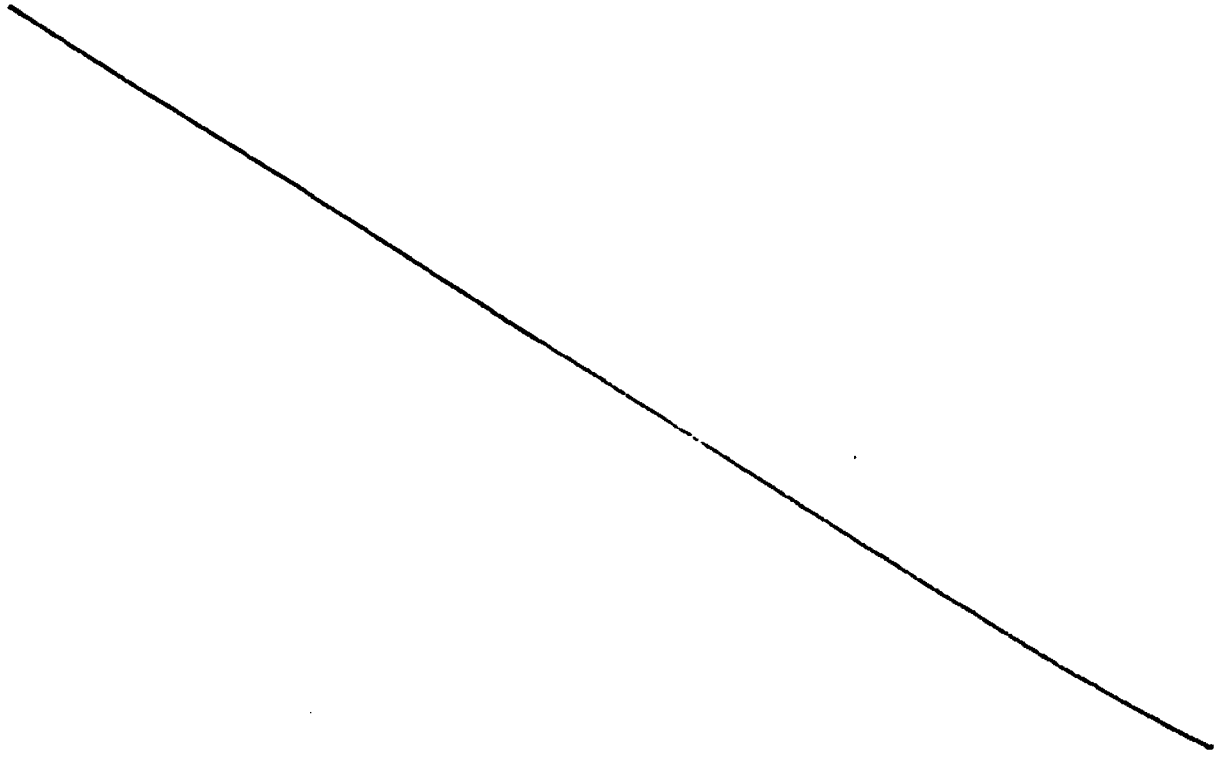
2. The R-2 density along Kerry Lynn Way conforms to the Lakewood Neighborhood Zoning and Development Plan,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the following described portion of the proposed rezoning from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, as recommended by the Planning Commission in its Resolution No. 79-233, be denied for the reasons set forth above:

All that certain real property situate in a portion of the Northeast one quarter of Section 24, Township 3 South, Range 9 East, Mount Diablo Base and Meridian and lying within the City of Modesto, County of Stanislaus, State of California described as follows:

BEGINNING at the Northwest corner of "Parcel 1" as shown on that certain map filed in Volume 12 of Parcel Maps, at Page 91, Stanislaus County Records; thence North 89° 35' 00" East along the North line of said "Parcel 1" and along the South line of Briggsmore Avenue, as shown on said map, a distance of 250.00 feet; thence South 0° 48' 44" East along a line parallel with distant 250.00 feet Northeasterly, from the West line of said "Parcel 1" and "Parcel 2", as shown on said map measured at right angles, a distance of 637.07 feet; thence North 89° 19' 54" West along a line parallel with and distant 125.00 feet Northeasterly, measured at right angles, from the South line of said "Parcel 2", a distance of 14.62 feet; thence South 0° 40' 06" West a distance of 124.96 feet to the South line of said "Parcel 2"; thence North 89° 19' 54" West along said South line of "Parcel 2", a distance of 232.22 feet to the Southwest corner of said "Parcel 2"; thence North 0° 48' 44" West along the West line of said "Parcels 1 and 2" a distance of 757.34 feet to the point of beginning.

Including also all that portion of Briggsmore Avenue and the Modesto Irrigation Districts Lateral No. 3 that is situated between the North line of said Section 24 and the South line of Briggsmore Avenue.



BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Section 24-3-9 of the Zoning Map of the City of Modesto to rezone certain property located thereon.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin

NOES: Councilmembers: Kullijian, Muratore

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Schuler
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1094

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 24-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (MAWCO DEVELOPMENT)

WHEREAS, on October 16, 1979, the City Council introduced Ordinance No. 1888- C. S. giving approval to a project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 24-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Medium High Density Residential Zone, R-3.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Siefkin

NOES: Councilmembers: Muratore, Kullijian

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1095

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 16-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (DELTON AND ELSIE PEEBLER, ET AL)

WHEREAS, on October 16, 1979, the City Council introduced Ordinance No. 1887 -C. S. giving approval to a project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 16-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Professional Office Zone, P-O.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1096

A RESOLUTION OVERRULING THE RECOMMENDATION OF THE PLANNING COMMISSION TO AMEND PLANNED DEVELOPMENT ZONE, P-D(76) TO ALLOW A 24-UNIT CONDOMINIUM CONVERSION, ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF LUCERN AVENUE AND EL VECINO AVENUE. (VIRGINIA BERG)

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(76), was filed by Virginia Berg on August 14, 1979, to amend Planned Development Zone, P-D(76), to allow conversion of an existing 24-unit, one-story apartment complex to condominiums, on property located on the southeast corner of Lucern Avenue and El Vecino Avenue, and

WHEREAS, said application was set for a public hearing before the Planning Commission on September 4, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-232 recommending to the Council an amendment to Planned Development Zone, P-D(76), to allow conversion of an existing 24-unit, one-story apartment complex to condominiums, on property located on the southeast corner of Lucern Avenue and El Vecino Avenue, as requested by the applicant, and

WHEREAS, said matter was set for a public hearing before the Council of the City of Modesto at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on October 16, 1979, at which time evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto determined that the proposed amendment to Planned Development Zone, P-D(76), to allow conversion of an existing 24-unit, one-story apartment complex to condominiums, on property located on the southeast corner of Lucern Avenue and El Vecino Avenue, should be denied for the following reasons:

1. The applicant has not shown a need for conversion of the subject apartment units to condominiums.

2. This Council has determined that a study needs to be made regarding the vacancy factor in the Modesto area of apartment units in the moderate price range of the subject units.

3. This Council has determined that a study needs to be made regarding the effect of condominium conversions on rental rates in comparable priced apartment units in the Modesto area,

and

WHEREAS, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, the Council, at its meeting held on October 16, 1979, determined that it was appropriate to waive the one year limitation for Virginia Berg to submit a new application to the Planning Commission for an amendment to Planned Development Zone, P-D(76), to convert said P-D to condominiums,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the proposed amendment to Planned Development Zone, P-D(76), to allow conversion of an existing 24-unit, one-story apartment complex to condominiums on property located on the southeast corner of Lucern Avenue and El Vecino Avenue, be denied for the reasons set forth above, and the recommendation of the Planning Commission is hereby overruled.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to the denial of an amendment to Planned Development Zone, P-D(76).

BE IT FURTHER RESOLVED that in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code this Council waives the one year limitation for the submission of a new application to the Planning Commission for an amendment to Planned Development Zone P-D(76) to convert said P-D to condominiums

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1097

A RESOLUTION REJECTING APPLICATION FOR LEAVE TO PRESENT LATE CLAIM ON BEHALF OF CLAIMANT, DONALD B. MARTIN, RECEIVED IN THE OFFICE OF THE CITY CLERK, CITY OF MODESTO

WHEREAS, an application for leave to present late claim on behalf of claimant, Donald B. Martin, against the City of Modesto was received on August 7, 1979, in the office of the City Clerk; and

WHEREAS, the Risk Manager, upon contacting Mr. Martin in an attempt at settlement, has found that the vehicle involved in the claim is no longer in Mr. Martin's possession and therefore Mr. Martin is unable to establish a claim or verify damages.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the application for leave to present late claim on behalf of claimant, Donald B. Martin, against the City of Modesto, received on August 7, 1979, in the office of Norrine Coyle, City Clerk, City of Modesto, is hereby rejected.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1098

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND LOWRY, GUELFO, PIMENTEL & DECKARD, C,P,A, TO AUDIT THE DRYDEN TRUNK SEWER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Lowry, Guelfo, Pimentel & Deckard, C.P.A. to audit the Dryden Trunk Sewer Project in accordance with Federal Economic Development Administration policies

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19**79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1099

A RESOLUTION AUTHORIZING ISSUANCE OF A PURCHASE ORDER TO M.I.D. FOR THREE PHASE SERVICE TO THE DUTCHOLLOW ESTATES SEWER LIFT STATION ON THE NORTHWEST TRUNK SEWER

WHEREAS, presently only single phase service is available to the Dutchollow Estates Subdivision; and

WHEREAS, the most available and economic lift station pump motors are three phase.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,309.85 to Modesto Irrigation District to provide three phase power to the lift station on the Northwest Trunk Sewer which serves Dutchollow Estates Subdivision, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.79-1100

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER TO T & C MANUFACTURING FOR REPAIR AND MODIFICATION SERVICES OF THE HOSE DRYING TOWER LADDERS AT FIRE STATIONS NO. 4 AND 5

WHEREAS, the hose drying ladder at Fire Station No. 5 was damaged in an accident necessitating its repair; and

WHEREAS, it has been determined that the ladders at Fire Stations No. 4 and 5 should be modified to make them more safe and bring them back to full use.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,189.12, to T & C Manufacturing for repair and modification services to the hose drying tower ladders at Fire Stations No. 4 and 5 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1101

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND P. G. & E. TO INSTALL GAS METERING FACILITIES FOR THE PURPOSE OF STANDBY SERVICE TO PUMP STATION NO. 41 ON SAGANAW COURT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and P. G. & E. to install gas metering facilities for the purpose of standby service to Pump Station No. 41 on Saganaw Court

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1102

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND P. G. & E. FOR THE GAS MAIN EXTENSION TO SERVE FIRE STATION NO. 8 ON MITCHELL ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and P. G. & E.

for the gas main extension to serve Fire Station No. 8 on Mitchell Road

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1103

A RESOLUTION APPROVING THE FINAL MAP OF THE FARA ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, FARA ASSOCIATES, a general partnership,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 22.607 acres, known as the Fara Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 16th day of April, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Fara Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST:
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1104

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ED FARMER & ASSOCIATES, CONSULTING ENGINEERS AND SCIENTISTS FOR THE MODERNIZATION OF THE DOMESTIC WATER CONTROL SYSTEM

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and ED FARMER & ASSOCIATES, consulting engineers and scientists for the modernization of the domestic water control system

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1105

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR ACCOMPLISHMENT OF PRELIMINARY ENGINEERING WORK FOR THE DESIGN OF THE SYLVAN AVENUE - OAKDALE ROAD INTERSECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County **for** accomplishment of preliminary engineering work for the design of the Sylvan Avenue - Oakdale Road intersection **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1106

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO, CAL.TRANS, AND STANISLAUS COUNTY FOR THE CITY'S SHARE OF THE COST TO INSTALL TRAFFIC SIGNALS ON YOSEMITE AT SAN JUAN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto, Caltrans, and Stanislaus County for the City's share (25% of the actual operating cost) to install traffic signals on Yosemite at San Juan

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1107

A RESOLUTION APPROVING AN AGREEMENT BETWEEN THE CITY OF MODESTO AND BOB G. AND MARTHA L. EDWARDS TO ACQUIRE A LOT FROM THEM FOR THE TUOLUMNE RIVER REGIONAL PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Bob G. and Martha L. Edwards to acquire a lot from them for the Tuolumne River Regional Park is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Grant Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1108

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HENRY GONI FOR THE LEASE OF A PORTION OF THE FORMER HOGIN PROPERTY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Henry Goni

for the lease of a portion of the former Hogin property, part of the future Dry Creek Park, to expire October 31, 1981

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, 19 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1109

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(177) - MILTON C. DAVID, M.D., INC.

WHEREAS, the Modesto City Planning Commission held a public hearing on October 1, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(177) to allow 122 condominium units on the south side of Pelandale Avenue west of Dale Road ;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-253 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(177) of the Zoning Map be set for November 13, 1979 at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1110

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(133)- ALFREDO & EMMA DURAN

WHEREAS, the Modesto City Planning Commission held a public hearing on October 1, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(133) to allow serving alcoholic beverages in conjunction with the Marcella Restaurant located on the north side of Standiford Avenue west of Tully Road;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-252 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(133) of the Zoning Map be set for November 13, 1979 at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1111

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP (TIERRA DEVELOPMENT)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 1, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-D(248) to allow a 15-unit condominium project, property located on the north side of E. Fairmont, west of Coffee Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-249 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for November 13, 1979 at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th day of October, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of the North half of the East half of Lot 10 of Rice Colony, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on February 19, 1904, in Volume 1 of Maps, Page 54, and also being situated in Section 21, Township 3 South Range 9 East, Mount Diablo Base and Meridian and described as follows:

Parcel A

BEGINNING at the Southwest corner of the North half of the East half of said Lot 10, thence North and along the West line of said North half of the East half of said Lot 10, a distance of 192.52 feet, more or less, to the center of a private ditch, thence East and along the center of said private ditch, a distance of 180 feet to the Northeast corner of the land conveyed to Antonino Mignano and Catherine G. Mignano by deed recorded October 17, 1969, in Volume 2298 of Official Records, Page 105 and the true point of beginning of this description; thence continue East and along the center of said private ditch a distance of 126.30 feet to the Northeast corner of the land conveyed to E. E. McCracken and Martha J. McCracken, by deed recorded January 27, 1936, in Volume 579 of Official Records, Page 473, thence South and parallel to the West line of the North half of the East half of said Lot 10, a distance of 192.52 feet more or less, to a point on the South line of said North half of the East half of said Lot 10, thence West and along the South line of said North half of the East half of said Lot 10, a distance of 126.30 feet, thence North and parallel to the West line of said North half of the East half of said Lot 10, a distance of 192.52 feet more or less to the true point of beginning of this description.

Parcel B

Commencing at the Northeast corner of said North half of the East half of said Lot 10, said corner being in the centerline of County Road, (Coffee Road); running thence West along the North line of the North half of the East half of said Lot 10, a distance of 659.60 feet to the Northwest corner of said North half of the East half of said Lot 10; thence South along the West line of said North half of East half of said Lot 10, a distance of 138.50 feet to the center of a private ditch; thence East along said private ditch, a distance of 306.30 feet to an iron pipe set on the West line of land conveyed to Barney Webster and Hazel Webster, his wife, as Joint Tenants, by Deed dated January 30, 1933, and recorded February 2, 1933, as Instrument No. 1062, Stanislaus County Records; thence North along the West line of said land so conveyed to Webster, a distance of 15.33 feet to an iron pipe set at Northwest corner of said land of Webster; thence East along the North line of land so conveyed to Webster, a distance of 355 feet to the centerline of County Road (Coffee Road); thence North along the centerline of said County Road, a distance of 122.70 feet to the point of beginning.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1112

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $128,257 FROM GENERAL RESERVE TO MCHENRY MANSION RESTORATION PROJECT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 335)	$128,257
TO:	Mansion Restoration (6276 335)	49,157
	Parking Lot (6950 335)	79,100

While a balance of $5,600 was carried forward from Fiscal Year 78-79, no current year appropriations have been established within this fund. This transfer action provides funds to cover inspection charges, change orders to the existing contract, supplemental milling costs, architect fees and additional restorative work anticipated during the initial phase; also provided for are funds to cover land, appraisal, and legal cost relating to parking lot acquisition.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 16th **day of** October, 19 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Elliott, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1113

A RESOLUTION SETTING TIME AND PLACE FOR HEARING APPLICATION OF HOWARD K. WILSON AND OTIS D. LEE FOR CERTIFICATE TO OPERATE THE MODESTO TAXI CAB CO.

BE IT HEREBY RESOLVED by the Council of the City of Modesto that Tuesday, November 6, 1979 **at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** application of Howard K. Wilson and Otis D. Lee for certificate to operate the Modesto Taxi Cab Company.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, **19** 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1114

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF OCTAVIA MILES AS A MEMBER OF THE HUMAN RIGHTS COMMISSION, EFFECTIVE OCTOBER 23, 1979

WHEREAS, Octavia Miles was appointed as a member of the Human Rights Commission on August 7, 1979; and

WHEREAS, Octavia Miles has tendered her resignation as a member of the Human Rights Commission, effective October 23, 1979; and

WHEREAS, Octavia Miles has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Octavia Miles as a member of the Human Rights Commission is hereby accepted with regret;

BE IT FURTHER RESOLVED that the Council, in its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Octavia Miles for her outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1115

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR IMPROVEMENTS ON EL PASADO DRIVE AT PARK SITE, BLOCK 2450

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for improvements on El Pasado Drive at park site, Block 2450

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 20, 1979 at 11:05 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1116

A RESOLUTION APPROVING SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR AUTOMOTIVE AND HEAVY EQUIPMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The specifications **for** automotive and heavy equipment **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 20, 1979 at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, 1979, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1117

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PURCHASE OF ONE COMPOUND WATER METER FROM HERSEY PRODUCTS, INC.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of one compound water meter for use by the Public Works Department is hereby waived.

BE IT FURTHER RESOLVED that purchase of one compound water meter from Hersey Products, Inc., for the total price of $5,135.70 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1118

A RESOLUTION ACCEPTING THE BID OF GMC TRUCK AND COACH FOR FIVE NEW ADVANCED DESIGN BUSES

WHEREAS, Resolution No. 79-724, adopted by the Council of the City of Modesto on July 17, 1979, approved the plans and specifications for the purchase of five advanced design buses and authorized the calling for bids; and

WHEREAS, the bids received for the purchase of five advanced design buses were opened at 2:00 p.m., Sept. 18, 1979, and later tabulated by the Director of Traffic & Parking for the consideration of the Council; and

WHEREAS, the Director of Traffic & Parking has recommended that the bid of GMC Truck and Coach in the amount of $695,370.60 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of GMC Truck and Coach in the amount of $695,370.60 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1119

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR 1979-80 TO PROVIDE FOR AN INCREASE IN APPROPRIATIONS IN THE BUS SERVICE FUND OF $40,000 TO PURCHASE 5 BUSES.

WHEREAS, the Final Budget of the City of Modesto for the Fiscal Year 1979-80 provides funds in the Bus Service Fund, Fund No. 350, for the purchase of 5 buses, and

WHEREAS, bids have been received for said 5 buses and the actual cost of the buses exceeds the appropriation by $40,000, and

WHEREAS, additional revenue is available from the Local Transportation Fund and the Urban Mass Transportation Administration in the amount of $40,000,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Final Budget of the City of Modesto for the Fiscal Year 1979-80 be amended to estimate additional revenue in the Bus Service Fund, Fund No. 350, in the amount of $40,000 and provide for an additional appropriation of $40,000 for the purchase of 5 buses as follows:

Revenues:

1. The amount of $1,765,548 now estimated in Account No. 260-02, Transportation Grant, be increased $32,000 to $1,797,548.

2. The amount of $756,469 now estimated in Account No. 208, Local Transportation Allocation, be increased $8,000 to $764,469.

Appropriations:

1. The amount of $392,000 now appropriated in Account No. 6065, Replace Buses, be increased $32,460 to $424,460.

2. The amount of $275,000 now appropriated in Account No. 6067, New Buses, be increased $7,540 to $282,540.

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1120

RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN FOR MUNICIPAL PURPOSES FOR THE TUOLUMNE RIVER REGIONAL PARK (MANGNUSON)

(Name of Project and Property Owners Name)

WHEREAS, on September 27, 19 79, the Council of the City of Modesto by Resolution No. 79-1019 set a hearing to consider a resolution of necessity to acquire certain real property, hereinafter described, and

WHEREAS, on October 23, 1979, the Council held a hearing in the City Council Chambers, City Hall, 801 Eleventh Street, Modesto, in order to determine the necessity for acquisition of said real property by eminent domain proceedings for purposes of development of Tuolumne River Regional Park,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. The public interest and necessity require said project and require the acquisition of said real property for the purpose stated.

2. The taking of real property for municipal purposes by eminent domain proceedings is authorized by Sections 37350.5, 37351, 38300 and 40404(f) of the Government Code, by Sections 5301, 5302, and 5303 of the Public Resources Code, and by Sections 1240.140 and 1240.510 of the Code of Civil Procedure of the State of California.

3. The proposed project is planned and located in a manner which will be most compatible with the greatest public good and the least private injury.

4. The real property which is hereinafter described consists of a rectangular parcel of approximately 17,750 square feet, including a partially-completed residence, located at 1813 West Hatch Road, and is necessary for the proposed project.

BE IT FURTHER RESOLVED that the City Attorney be and is hereby authorized and directed to commence and maintain in the name of the City of Modesto such actions and proceedings of eminent domain in the Superior Court of California, County of Stanislaus, as are necessary to acquire, for the purposes and uses aforesaid, that certain real property which is situated in the County of Stanislaus, and adjacent to the City of Modesto, State of California, more particularly described as follows:

All that portion of SWAMP AND OVERFLOWED LANDS SURVEY NO. 239, in Section 7, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, particularly described as follows:

COMMENCING at the United States Meander corner on the left bank of the Tuolumne River and on the West line of Section 7, above Township and Range; thence South 0° 19' East, along the West line of Section 7, a distance of 0.0515 chains; thence following the centerline of a 40 foot county road the following three courses and distance: South 59° 15' East, 20.197 chains; South 86° 57' East, 12.72 chains; and North 88° 08' East, 15.9242 chains to a point, said point being the Southeasterly corner of the property conveyed to Frank L. Pimentel, a single man, by Deed recorded April 16, 1948, in Volume 933 of Official Records, at page 235, as Instrument No. 8429; thence North along the Easterly line of said Pimentel property, 1.183 chains; thence North 88° 07' 30" East along the left bank of the Tuolumne River and along the North line of Swamp and Overflowed Lands Survey No. 239, a distance of 130 feet to the Northeast corner of land as described in the Deed to John A. Thompson, et ux, dated July 3, 1956, in Volume 1376 of Official Records; at page 639, as Instrument No. 20208, and being the true point of beginning of the herein described parcel of land; thence continue North 88° 07' 30" East along the North line of said Swamp and Overflowed Land Survey No. 239, a distance of 100 feet; thence South and parallel with the East line of land described in the Deed to Thompson, aforesaid to the centerline of aforementioned county road; thence South 88° 08' West, along centerline of said County Road, a distance of 100 feet to the South-

east corner of aforementioned Thompson land; thence North along the East line of said Thompson land to the point of beginning.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Lang, who moved it adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1121

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (246).

WHEREAS, a verified application for an amendment to Section 28-3-9 of the Zoning Map was filed by Fleeta Raines and Charles Coon on August 9, 1979, to reclassify from Neighborhood Commercial Zone, C-1, to Planned-Development Zone, P-D, the following described property:

All that portion of the Southwest one-quarter of Section 28, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

All of Lots 21, 22, 23, and 24 of Block 116 in the City of Modesto and filed in Volume 15 of Maps in the Stanislaus County Records, and also the Northeasterly 40 feet of 14th Street and the Southwesterly 10 feet of the alley immediately adjacent to said Lots 21, 22, 23, and 24.

WHEREAS, after public hearing held on September 17, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The P-D zone is needed to permit construction of apartments in a commercial area.

2. The P-D zone and conditions of approval assure a degree of compatibility consonant with the surrounding properties.

WHEREAS, after a public hearing held on October 23, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Fleeta Raines and Charles Coon for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. _____-C.S. on the 23rd day of October, 1979, reclassifying the above-described property from Neighborhood Commercial Zone, C-1, to Planned-Development Zone, P-D (246).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (246), is hereby approved in accordance with the plan titled "Planned Development for Office-Apartment Units", as amended in red on its face, stamped approved by the Planning Commission on September 17, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the plan referred to above, a copy of which is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

5. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

6. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

8. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

9. That all signs shall comply with the sign requirements of the P-O Zone.

10. That prior to issuance of a building permit, a maintenance and access agreement in a form approved by the City Attorney for the parking area fronting on 14th Street shall be recorded.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (246) :

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (246) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Smith
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1122

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION 28-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (Fleeta Raines and Charles Coon)

WHEREAS, on October 23, 1979, the City Council introduced Ordinance No. 1890 -C. S. giving approval to a project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(246), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 28-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Neighborhood Commercial Zone, C-1, to Planned Development Zone, P-D(246).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1123

A RESOLUTION GRANTING AN AMENDMENT TO THE UNCLASSIFIED USE PERMIT FOR DOCTOR'S HOSPITAL TO ALLOW A 24-HOUR CHILD CARE FACILITY AND FOR REVISION OF THE FREESTANDING AND DIRECTIONAL HOSPITAL SIGNING.

WHEREAS, the Modesto City Council, by Resolution No. 76-939 adopted on August 9, 1976, granted an unclassified use permit to Doctor's Hospital of Modesto, Inc. to allow construction of a one and four story building expansion to the existing Doctor's Hospital complex, including an additional 53 beds and an expanded parking area on property located on the north side of W. Orangeburg Avenue, west of Florida Avenue in the City of Modesto, and

WHEREAS, a verified application to amend the unclassified use permit referred to above, to allow a 24-hour child care facility and for revision of the freestanding and directional hospital signing was filed by Doctor's Hospital on August 15, 1979, and

WHEREAS, Section 10-2.1401 of the Modesto Municipal Code classifies the proposed use as an unclassified use, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street, in the City of Modesto on September 17, 1979, and

WHEREAS, thereafter, upon the evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 79-242, recommending to the Council that the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-939, be amended to allow a 24-hour child care facility and for revision of the freestanding and

directional hospital signing for the following reasons:

1. The child care facility will provide a much needed service to employees of the hospital and the general public.

2. The revised and new signing will help direct hospital traffic to the proper area.

3. The unclassified use permit and additional conditions of approval assure a degree of compatibility consonant with surrounding properties.

and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, at 7:30 o'clock p.m. on October 23, 1979, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject amendment to the unclassified use permit, and

WHEREAS, said hearing was held before the Council on October 23, 1979, at the above time and place, and evidence, both oral and documentary, was taken and introduced at said hearing, and the Council found and determined that the granting of an amendment to Doctor's Hospital unclassified use permit granted by Modesto City Council Resolution No. 76-939, referred to above, to allow a 24-hour child care facility and for revision of the freestanding and directional hospital signing is required by public necessity, convenience and general welfare for the reasons set forth above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-939, be amended to allow a 24-hour child care facility and for revision of the freestanding and directional hospital signing, subject

to the following conditions:

1. That all development shall conform to the plans titled "Child Care Center, Doctor's Hospital" and "S-1 Concept", as amended in red on their face, stamped approved by the Planning Commission on September 16, 1979, and on file in the office of the Director of Planning and Community Development.

2. That the design of the "secured gate" on Orangeburg Avenue for the child care facility shall be subject to approval by the Director of Planning and Community Development.

3. That all outstanding conditions set forth in Modesto City Council Resolution No. 76-939 and in all unclassified use permits theretofore granted to Doctor's Hospital not inconsistent with the above conditions and approved plans shall remain in full force and effect.

BE IT FURTHER RESOLVED that failure to comply with the conditions set forth above shall constitute grounds for revocation of the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-959 and amended hereby.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 23rd day of October, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL) ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1124

A RESOLUTION ACCEPTING IMPROVEMENTS IN EVERGREEN PARK SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, R.D.R. Properties, a general partnership , subdividers of Evergreen Park subdivision , have filed subdivision bonds for for faithful performance and labor and materials in the amount of $123,900.00 and $61,950.00 respectively to guarantee improvements in Evergreen Park subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated October 15, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Evergreen Park Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $123,900.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $61,950.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October , 1979 by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1125

A RESOLUTION ACCEPTING IMPROVEMENTS IN KINGSWOOD ESTATES NO. 4 SUBD. AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Rule Enterprises, a California corporation , subdividers of Kingswood Estates No. 4 subdivision , have filed subdivision bonds for for faithful performance and labor and materials in the amount of $184,200.00 and $ 92,100 respectively to guarantee improvements in Kingswood Estates No. 4 subdivision; and

WHEREAS, the Director of Public Works in a memorandum dated October 15, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the subdivision bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Kingswood Estates No. 4 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the subdivision bond for faithful performance in the amount of $184,200.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the subdivision bond for labor and materials in the amount of $92,100 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October , 1979 by Councilmember Elliott , who moved its adoption, which motion being duly seconded by Councilmember Siefkin , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1126

A RESOLUTION APPROVING TERMINATION OF AGREEMENTS BETWEEN THE CITY OF MODESTO AND UNITED AIRLINES, EFFECTIVE NOVEMBER 15, 1979, AND AUTHORIZING EXTENSION OF SAME AGREEMENTS ON MONTH-TO-MONTH BASIS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the termination of agreements between the City of Modesto and United Airlines for security cost dated March 18, 1974, and operating dated June 1, 1978, effective November 15, 1979, and authorizing the extension of said agreements on a month-to-month basis until termination of United Airlines air service be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1127

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD H. SCOTT AND MARGARET D. SCOTT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald H. Scott and Margaret D. Scott

for lease of a portion of the former Bomberger property, 13.7 acres (portion of future Dry Creek Park area)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, **19**79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1128

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DONALD H. SCOTT AND MARGARET D. SCOTT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Donald H. Scott and Margaret D. Scott

for lease of a portion of the former Dickens property, 5.5 acres (portion of future Dry Creek Park area)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, **19** 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1129

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHANNA M. KENNEY

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Johanna M. Kenney

for lease of 18 acres of grape vineyard (future Pelandale N. Park)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1130

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AIR PACIFIC

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Air Pacific

for provision of security and recovery of security costs

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1131

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CROSBY THORNTON MARSHALL ASSOCIATES, ARCHITECTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Crosby Thornton Marshall Associates, Architects **for** furnishing architectural services for interior restoration of the McHenry Mansion **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1132

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(73) TO PERMIT ADDITIONAL AND LARGER HOSPITAL SIGNING (Memorial Hospital)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 1, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(73) to permit additional and larger hospital signing on the hospital property located on the east side of Coffee Road north of Briggsmore Avenue.

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-254 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(73) be set for November 20, 1979 at 4:00 p.m. (Hearing No. 1) in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1133

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND CALVARY TEMPLE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Calvary Temple

for maintenance of a portion of slip ramp on Briggsmore Avenue right of way

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1134

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,900 FROM GENERAL RESERVE FOR A PORTION OF THE COSTS OF ACQUISITION OF McHENRY MANSION PARKING LOT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

McHenry Mansion Restoration Fund

FROM:	General Reserve (60 800 235)	$1,900
TO:	Parking Lot (6950 335)	$1,900

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd **day of** October, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Siefkin, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1135

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATION OF HOUSING PROGRAM OFFICER PROVIDED UNDER THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, revisions to the job specifications for the classification of Housing Program Officer in the City of Modesto's Position Classification Plan have been recommended by the City Manager, and

WHEREAS, said revisions have been recommended for the following reasons:

1. Appropriate college-level education may be substituted for up to four years experience.

2. The knowledges and abilities required have been made closer to other management-level positions.

3. The requirement of two or more years in a supervisory capacity will strengthen the specifications.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the job specifications for the position of Housing Program Officer be revised as shown on the attached Exhibit "A" which by this reference is made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the specifications for Housing Program Officer as shown on Exhibit "A" are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 23rd day of October, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by

Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

HOUSING PROGRAM OFFICER

DEFINITION

Under general direction, to administer the City Housing and Community Development program. Advises the City Manager, Planning Commission and City Council through the Planning Director on matters concerning housing and community development. Does related work as required.

TYPICAL TASKS

Coordinates with City departments and other public agencies regarding housing and community development programs; provides staff liaison to citizen committees; coordinates counseling of low income housing owners and occupants; prepares procedure manuals, makes recommendations for programs, prepares grant applications, prepares annual operating budgets and other pertinent reports; implements programs; supervises technical and clerical staff.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

Incumbents will be required to file a Statement of Economic Interests.

EMPLOYMENT STANDARDS

Knowledge of:

Federal housing and community development programs and their requirements;
Housing rehabilitation and code enforcement programs;
Theory, principles, and practices of urban planning;
Public finance and budgeting;
Preparing successful applications for Federal and State grants;
Report writing and research methods;
Laws, ordinances, and regulations governing in California;
Building and safety codes;
Program planning and implementation;
Principles of supervision and training.

and

Ability to:

Organize, supervise, and review the work of a staff performing housing rehabilitation and community development work;
Perform community relations work;
Relate to minority and low income persons;
Develop and maintain cooperative working relationships with the public;
Interpret rules, laws, and policies and apply them with good judgment;
Analyze situations accurately and to recommend an effective course of action;
Prepare clear and concise oral and written reports;
Establish and maintain cooperative relations with other governmental agencies, other city management and non-management employees;
Supervise and train subordinante personnel.

and

Exhibit "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1136

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON APPEAL BY MID-VALLEY ENGINEERING, INC., TO A PLANNING COMMISSION DECISION CONCERNING REZONING PROPERTY ON THE NORTHWEST CORNER OF STANDIFORD AVENUE AND PRESCOTT ROAD FROM R-1 TO P-D

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Mid-Valley Engineering, Inc., to a Planning Commission decision concerning rezoning property on the northwest corner of Standiford Avenue and Prescott Road from R-1 to P-D.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, 19__, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1137

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN PINE TREE LANE AND MUGHO PINE DRIVE

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension in Pine Tree Lane and Mugho Pine Drive, **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 27, 1979, 11:15 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Cozzle
NORRINE COZZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1138

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF 145 FIRE FIGHTING HELMETS

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, informal bids were opened on October 18, 1979, for the purchase of 145 fire fighting helmets; and

WHEREAS, the low quote of $4,165.80 submitted by L.N. Curtis and Sons is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,165.80 to L.N. Curtis and Sons for the purchase of 145 fire fighting helmets is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1139

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR CONSTRUCTION OF WATERLINE EXTENSION IN CLAUS ROAD

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for construction of waterline extension in Claus Road, **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 20, 1979 at 11:10 a.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Cozle
NORRINE COZLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1140

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR FURNISHING A SATELLITE RADIO RECEIVER SYSTEM FOR THE MODESTO POLICE DEPARTMENT

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for furnishing a satellite radio receiver system for the Modesto Police Department,

copies of which are on file, are hereby accepted and approved.

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on November 27, 1979 at 2:00 p.m. **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1141

A RESOLUTION REJECTING ALL BIDS FOR THE RENOVATION OF PUMP STATION NO. 6 AND AUTHORIZING NEW CALL FOR BIDS

WHEREAS, Resolution No. 79-863 adopted by the Council of the City of Modesto on August 21, 1979, approved the plans and specifications for the renovation of Pump Station No. 6, and authorized the call for bids; and

WHEREAS, the bids received for the renovation of Pump Station No. 6 were opened at 11:10 a.m. on September 11, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, because of a dispute between the bidders and the Contractors' State Licensing Board relating to the type of contractor's license required, the City has in effect been ordered not to take any action which would disqualify the apparent low bidder, Matthew Kehoe of Central Pump Company until such time as he and the Contractors' State Licensing Board have resolved their dispute; and

WHEREAS, in the interim, obtained a new contractor's license and is presently eligible to bid on this type of project, making it possible for the City to reject all the present bids and call for new bids on the project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that all bids received for the renovation of Pump Station No. 6 and opened in the office of the City Clerk on September 11, 1979, at 11:10 a.m., are hereby rejected.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that a new call for bids for the renovation of Pump Station No. 6 to be opened on November 20, 1979, at 11:30 a.m. is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Council-

member Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1142

A RESOLUTION ACCEPTING THE BID OF THE YARD LUMBER AND FENCE SUPPLY FOR CONSTRUCTION AND RELOCATION OF GENERAL AVIATION AREA SECURITY FENCING

WHEREAS, Resolution No.79-1028 adopted by the Council of the City of Modesto on October 2, 1979 , approved the plans and specifications for the construction and relocation of general aviation area security fencing and authorized the calling for bids; and

WHEREAS, the bids received for the construction and relocation of general aviation area security fencing were opened at 11:00 a.m., October 23, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of $22,069.00 by The Yard Lumber and Fence Supply be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of $22,069.00 by The Yard Lumber and Fence Supply be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1143

A RESOLUTION ACCEPTING THE BID OF CDR CONSTRUCTION FOR THE RECONSTRUCTION OF PUMP STATION NO. 40

WHEREAS, Resolution No. 79-1027, adopted by the Council of the City of Modesto on October 2, 1979, approved the plans and specifications for the construction of pump station no. 40 and authorized the calling for bids; and

WHEREAS, the bids received for the construction of pump station no. 40 were opened at 11:05 a.m., October 23, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of $115,575.00 by CDR Construction be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of $115,575.00 by CDR Construction be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1144

A RESOLUTION ACCEPTING THE BID OF W. GALE FISHER, INC. FOR THE CONSTRUCTION OF WATERLINE EXTENSIONS IN WOODLAND AVENUE, MARSALA WAY, AND HONEY CREEK ROAD

WHEREAS, Resolution No.79-1087 adopted by the Council of the City of Modesto on October 16, 1979 , approved the plans and specifications for the construction of waterline extensions in Woodland Avenue, Marsala Way, & Honey Creek Road and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extensions in Woodland Avenue, Marsala Way, and Honey Creek Road were opened at 11:00 a.m., October 30, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of $32,062.00 by W. Gale Fisher, Inc. be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of $32,062.00 by W. Gale Fisher, Inc. be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1145

A RESOLUTION ACCEPTING THE CONSTRUCTION OF STANDIFORD AVENUE FROM WEST OF CARVER ROAD TO TULLY ROAD (FAU PROJECT NO. M-F 201(1))

WHEREAS, a report has been filed by the Director of Public Works that the construction of Standiford Avenue from west of Carver Road to Tully Road has been completed by Lee White Paving Company

in accordance with the contract agreement dated December 4, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of Standiford Avenue from west of Carver Road to Tully Road be accepted from said contractor, Lee White Paving Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $342,741.94 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1146

A RESOLUTION ACCEPTING THE CONSTRUCTION OF DRYDEN TRUNK SEWER - EDA PROJECT NO. 07-01-01753 AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of the Dryden Trunk Sewer - EDA Project No. 07-01-01753 has been completed by W.M. Lyles Company

in accordance with the contract agreement dated July 17, 1978.

NOW, THEREFORE, BE IT RESOLVED that the construction of the Dryden Trunk Sewer be accepted from said contractor, W.M. Lyles Company;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $937,784.63 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1147

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER IN CALIFORNIA AVENUE AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works that the construction cf subtrunk sewer in California Avenue has been ccmpleted by Western Pipeline Inc.

in accordance with the contract agreement dated July 3, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer in California Avenue be accepted from said contractcr, Western Pipeline Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $101,505 as provided in the contract, be authorized.

The foregcing resolution was intrcduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1148

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF ONE SUTORBILT GAS MIXER FROM THE FULLER COMPANY

WHEREAS, the Public Works Sewerage Division needs to replace a gas mixer pump currently in service, which is used to mix incoming waste with resident bacteria in plant digesters; and

WHEREAS, the Sewerage Division recommends the purchase of a Sutorbilt gas mixer pump which would be identical to the unit being replaced; and

WHEREAS, The Fuller Company is the West Coast distributor for Sutorbilt, and it is recommended by staff that the Council authorize the purchase of one Sutorbilt gas mixer from The Fuller Company for the total purchase price of $4,226.85.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto, that issuance of a purchase order in the amount of $4,226,85 to The Fuller Company for one Sutorbilt gas mixer pump is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1149

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO PLANNED-DEVELOPMENT ZONE, P-D(81) TO ALLOW AN ADDITIONAL USE.

WHEREAS, on November 6, 1979, the City Council introduced Ordinance No. 1891 - C. S. giving approval to a project relating to an amendment to Planned Development Zone, P-D(81) to allow an additional use, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Planned Development Zone, P-D(81) to allow an additional use.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1150

A RESOLUTION AUTHORIZING THE TRANSFER OF SEVEN CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY FROM MS. PENNY HUDSON AND THE ISSUANCE OF ONE ADDITIONAL CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO OPERATE TAXICABS TO HOWARD K. WILSON AND OTIS D. LEE.

WHEREAS, requests were filed with the Council of the City of Modesto by Ms. Penny Hudson and Howard K. Wilson and Otis D. Lee to transfer seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Ms. Penny Hudson, doing business as "Modesto Cab" to Howard K. Wilson and Otis D. Lee, to do business as "Modesto Taxi Cab Company" and the request by Howard K. Wilson and Otis D. Lee for the issuance of one additional certificate of public convenience and necessity to operate an additional taxicab, and

WHEREAS, said application was investigated by the Director of Parking and Traffic who has reported his findings in connection therewith, and

WHEREAS, the Director of Parking and Traffic has recommended that the transfer of the seven (7) certificates of public convenience and necessity to operate taxicabs, and the issuance of one additional certificate of public convenience and necessity to Howard K. Wilson and Otis D. Lee to operate taxicabs be approved as applied for,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. Transfer of seven (7) certificates of public convenience and necessity to operate taxicabs in the City of Modesto from Ms. Penny Hudson, doing business as "Modesto Cab", to Howard K. Wilson and Otis D. Lee, to do business as "Modesto Taxi Cab Company", and the issuance of one additional certificate of public

convenience and necessity to operate one additional taxicab in the City of Modesto to Howard K. Wilson and Otis D. Lee, to do business as "Modesto Taxi Cab Company", is hereby authorized in accordance with Section 4-6.209 of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By E. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1151

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(247).
(GERRIT VANDER POL)

WHEREAS, a verified application for an amendment to Section 8-4-9 of the Zoning Map was filed by Gerrit Vander Pol on August 15, 1979, to prezone to Planned Development Zone, P-PD, the following described property:

All that portion of Section 8 Township 4 South, Range 9 East Mount Diablo Base and Meridian, described as follows:

Beginning at the point of intersection of the centerline of Whitmore Avenue with the centerline of Crows Landing Road also being the southeast corner of said Section 8; thence Westerly along the centerline of Whitmore Avenue and also being the South line of said Section 8, a distance of 1,722 feet more or less to the point of intersection with the Southerly extension of the East line of Parcel "A" as shown on the map filed May 29, 1968, in Book 5 of Parcel Maps at Page 83 in the Stanislaus County Records; thence Northerly along said extension and the East line of said Parcel "A", 1,319 feet more or less to the point of intersection with the North line of Parcel "A" also being the Northeast corner of Parcel "A"; thence Easterly along the Easterly extension of said North line of Parcel "A" 1,722 feet more or less to the point of intersection with the centerline of Crows Landing Road; thence Southerly along said centerline to the point of beginning.

Excepting therefrom the Northerly 400 feet of the Westerly 1,043 feet of the above described property.

WHEREAS, after public hearing held on September 17, 1979, it was found and determined by the Planning Commission that prezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed agriculturally related business-industrial park will provide a much needed service to the agricultural community.

2. The P-D zone and conditions of approval assure a degree of compatibility consonant with surrounding properties.

WHEREAS, after a public hearing held on October 23, 1979, and continued to November 6, 1979, the Council found and determined that the application of Gerrit Vander Pol for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1892-C.S. on the 6th day of November, 1979, prezoning the above-described property to Planned Development Zone, P-PD(247).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Prezoned Planned Development Zone, P-PD(247), is hereby approved in accordance with the plan titled "Agri-Village Development Plan" ,

dated September 17, 1979, which said plan is on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above referred to plan, which plan is on file in the office of the Director of Planning and Community Development.

2. That prior to the issuance of a building permit for any structure, with the exception of Valley Tractor Co., the applicant shall submit detailed plot plans for that structure in accordance with Section 10-2.2708 of the Modesto Municipal Code for review by the Planning Commission. Standard and special conditions normally part of P-D approval will be attached to the plans for each structure.

3. That prior to issuance of a building permit for any structure, with the exception of Valley Tractor Co., the applicant shall record a parcel or subdivision map creating all public streets. All street improvements will be required as a condition of parcel or subdivision map approval.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

6. That the development shall be served by positive storm drainage as required by the Director of Public Works.

7. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

8. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

9. That two ground mounted project signs shall be allowed, as shown on the plot plan, each a maximum of 10 feet high, 72 square feet. In addition, one ground mounted sign a maximum of 10 feet high, 72 square feet shall be permitted for each building site as identified by property lines, not to exceed one per use. All other signs shall be as permitted in the M-1 Zone.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Prezoned Planned Development Zone, P-PD(247):

Phase 1 - November 1979 - May 1982, Installation of all public improvements, realignment of TID irrigation pipe line.

Phase 2 - November 1979 - May 1984, Development of sites for fifty percent (50%) of the total land area.

Phase 3 - November 1979 - May 1986, Development of sites for eighty-five percent (85%) of the total land area

Phase 4 - November 1979 - May 1990, Completion of development.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance prezoning the above-described property to Planned Development Zone, P-PD(247) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November _____, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William P. Bright
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1[illegible]

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 8-4-9 OF THE ZONING MAP OF THE CITY OF MODESTO PREZONING CERTAIN PROPERTY LOCATED THEREON. (GERRIT VANDER POL)

WHEREAS, on October 23, 1979, the City Council introduced Ordinance No. 1692 -C. S. giving approval to a project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to prezone certain property to Planned Development Zone, P-PD (247), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 8-4-9 of the Zoning Map of the City of Modesto to prezone certain property to Planned Development Zone, P-PD(247).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Pridgeon, Elliott, Lane, Muratore, Siefkin, Vice Mayor Mullikin

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Lensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1153

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND DEL ESTE WATER COMPANY FOR THE EXTENSION OF WATER MAIN TO SERVE FIRE STATION NO. 8

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Del Este Water Company for the extension of water main to serve Fire Station No. 8

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1154

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSEPH DEANNA ON FORMER KOUNIAS PROPERTY (FUTURE DRY CREEK PARK AREA)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Joseph De Anna

for lease of former Kounias property (future Dry Creek Park area)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1155

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND GEORGE FREDERICKSON AND PHILLIP BRAVARD FOR THE LEASE OF A PORTION OF FIRE STATION NO. 5

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and George Frederickson and Phillip Bravard **for** the lease of a portion of Fire Station No. 5 **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1156

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND HENRY GONI FOR LEAST OF A PORTION OF THE FORMER SIMMS PROPERTY (13 ACRES) PART OF FUTURE DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Henry Goni

for the lease of a portion of the former Simms property (13 acres), part of the future Dry Creek Park

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1157

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND WILLIAM BLICKENSTAFF AND LEONARD E. BLICKENSTAFF FOR LEAST OF 9 ACRES OF WALNUTS (FUTURE WOODLAND NEIGHBORHOOD PARK)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and William Blickenstaff and Leonard E. Blickenstaff **for** the least of 9 acres of walnuts (future Woodland Neighborhood Park)

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: **Councilmembers:** Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: **Councilmembers:** None

ABSENT: **Councilmembers:** None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1158

REVISED

A RESOLUTION APPROVING/AGREEMENT BETWEEN THE CITY OF MODESTO AND CONRAD ASSOCIATES FOR 11TH STREET PARKING STRUCTURE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the/agreement (revised) between the City of Modesto and Conrad Associates, Architects, for the 11th street parking structure and including items required by the Department of Commerce be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1159

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND MID-VALLEY ENGINEERING FOR DESIGN OF MORRIS AVENUE RECONSTRUCTION FROM MCHENRY TO RAMONA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Mid-Valley Engineering for the design of Morris Avenue reconstruction from McHenry to Ramona be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1160

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND jhk & ASSOCIATES FOR ENVIRONMENTAL STUDIES ON SYLVAN AND OAKDALE ROADS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and jhk & Associates

for environmental studies on Sylvan and Oakdale Roads

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1161

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PROPOSED RIVERSIDE/YOSEMITE TRAFFIC SIGNAL PROJECT

WHEREAS, the City of Modesto has acquired the required right of way needed for the proposed Riverside/Yosemite traffic signal project.

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the proposed Riverside/Yosemite traffic signal project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of the right of way acquisition for the proposed Riverside/Yosemite traffic signal project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1162

A RESOLUTION AUTHORIZING RIGHT OF WAY CERTIFICATE FOR PROPOSED STANDIFORD - TULLY TO MCHENRY PROJECT

WHEREAS, the City of Modesto has acquired the required right of way needed for the proposed Standiford - Tully to McHenry project.

WHEREAS, it is necessary for the City of Modesto to make a certification to the State of California that the right of way has been acquired for the proposed Standiford - Tully to McHenry project.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the City Manager and City Clerk are hereby authorized to sign a Right of Way Certificate setting forth the status of the right of way acquisition for the proposed Standiford - Tully to McHenry project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1163
AMENDED

A RESOLUTION APPROVING /AGREEMENT BETWEEN THE CITY OF MODESTO AND JENKS AND HARRISON REGARDING ENGINEERING DESIGN AND INSTALLATION OF ADDITIONAL AERATION UNITS AT THE OXIDATION PONDS

BE IT HEREBY RESOLVED by the Council of the City of Modesto
amended
that the /agreement between the City of Modesto and Jenks and Harrison **for** engineering design and installation of additional aeration units at the oxidation ponds **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1164

A RESOLUTION REVISING THE POSITION CLASSIFICATION PLAN FOR THE CITY OF MODESTO.

WHEREAS, a Position Classification Plan for the City of Modesto was adopted by Modesto City Council Resolution No. 67-66 pursuant to Rule 2 of the Personnel Rules and Regulations of the City of Modesto, and

WHEREAS, the City Manager has recommended to the Council an amendment to the Position Classification Plan, and

WHEREAS, Rule 2.2 of the City of Modesto Personnel Rules provides that revisions to the classification plan shall be effective upon adoption of resolution of the City Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. CLASSIFICATIONS CREATED. The Position Classification Plan of the City of Modesto is hereby amended to create new classifications as follows:

CLASSIFICATIONS CREATED

Crime Analyst

Programmer

Office Aide

The specifications for the classifications created, as shown on the attached Exhibits "A", "B" and "C", which are hereby made a part of this resolution by reference, are hereby approved and made a part of the Position Classification Plan.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO

CRIME ANALYST

DEFINITION

Under direction, to analyze crime reports, collect data, conduct planning and make recommendations for manpower deployment; do research and other technical analytical work; and do related work as required.

EXAMPLES OF DUTIES

Plans, recommends, and evaluates crime report forms; analyzes and reviews crime reports; makes recommendations concerning the allocation of employees to combat criminal activity; makes written and oral reports as directed; reviews and responds to police requests for services, provides input to and coordination with City data processing unit; assists in department training programs; and provides statistical analysis concerning productivity and other related subjects.

SPECIAL REQUIREMENTS

Possession of an appropriate Operator's License issued by the California Department of Motor Vehicles.

EMPLOYMENT STANDARDS

Knowledge of:

Principles of organization, administration, and management;
Modern office methods and procedures,
Statistical methods and methods of graphic presentation,
Basic computer science language and processing.

and

Ability to:

Analyze and interpret factual date;
Speak and write effectively;
Work in harmony with other members of Police Department.

and

Experience:

One year of responsible staff work, preferably in local government.

and

Education:

Equivalent to graduation from an accredited college or university with major study in public or business administration; Administration of justice, criminology or some closely related field. (A master's degree in public or business administration may be substituted for one year's experience.)

PROGRAMMER

DEFINITION

Under general supervision, to perform the less difficult programming applications for a digital computer; to develop programming specifications and processing systems; and to do related work as required.

EXAMPLES OF DUTIES

Completes definitions of problems and prepares them for programming; prepares logic block diagrams; writes programs in symbolic language; checks coded programs prior to compilation; prepares test data for use in testing programs on a computer; corrects and revises program after testing, insuring proper form of input and output data; prepares flow charts showing general program steps for complex applications; modifies existing programs; prepares program documentation; may operate an electronic digital computer during program test runs and in a back-up capacity for existing applications.

DESIRABLE QUALIFICATIONS

Knowledge of:

Principles and techniques of program planning;
Control requirements for EDP systems;
COBOL and/or RPG programming languages;
Operations and capabilities of electronic data processing equipment.

and

Ability to:

Develop, write, and debug computer programs;
Prepare manuals of data procedures and properly document prepared programs;
Work with statistical methods and procedures;
Establish and maintain cooperative relationships with those contacted during the course of work.

and

Experience:

One year of full-time experience in programming data processing applications for digital computers.

or

Three years of experience in the operation of an electronic digital computer system with capabilities similar to that of a Burroughs B1700 or B1800 (such as IBM System 3, Honeywell 60/40, or UNIVAC 9200), and completion of at least 15 units of college level programming and computer science courses.

Four years completed at an accredited college or university may be substituted for the required experience, provided that there is upper-division work in programming, systems analysis, computer science, mathematics or other closely related fields.

WpC
10/12/79

OFFICE AIDE

DEFINITION

Under close supervision, to perform various types of office functions and to be in training for more responsible office-related classifications.

DISTINGUISHING CHARACTERISTICS

A person employed in this classification is not required to have experience or knowledge relating to office procedures. However, with training and exposure, the incumbent will be eligible to compete for Account Clerk, Office Services Clerk, Stenographer Clerk, Typist Clerk, or Word Processing Trainee.

EXAMPLES OF DUTIES

Receives, opens, sorts, and distributes mail within and between City departments and officials; sorts, weighs, and stamps outgoing mail; delivers mail, messages and supplies; assists in operation of office services equipment, such as copy machines, collator, stapler, folder, binder, paper cutter, and blueprinter; does a wide variety of clerical work including filing, checking, proofreading, posting and recording information; learns to type a variety of forms, letters and memoranda; makes copies on photocopy machines.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after appointment.

EMPLOYMENT STANDARDS

Knowledge of:

Arithmetic (addition through percentages);
Correct English, spelling, punctuation and grammar;
Basic safety practices.

AND

Ability to:

Learn to type a variety of forms, notices, memoranda and letters;
Learn routine clerical work;
Learn to operate office appliances;
Learn office methods, rules and policies;
Learn safety practices and procedures;
Lift and carry packages of at least 30 (lbs) pounds weight;
Understand and carry out oral and written directions;
Establish and maintain cooperative relationships with those contacted during the course of work.

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1165

A RESOLUTION AMENDING EXHIBITS "A" AND "F" OF RESOLUTION NO. 79-637 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 79-637. Exhibit "A" entitled "City of Modesto Schedule of Salary Ranges in City Service" and Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1979-80" attached to Resolution No. 79-637 are hereby amended as shown on the amended Exhibit "A" entitled "City of Modesto Schedule of Salary Ranges in City Service" and Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1979-80", which are attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "A" includes the salary range of 106.5 and said amended Exhibit "F" adds the classifications of Crime Analyst to Range 123.0, Programmer to Range 123.0, and Office Aide to Range 106.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

SCHEDULE A
MISCELLANEOUS
EMPLOYEES
(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 11/06/79

RANGE	HOURLY					BI-WEEKLY					MONTHLY				
	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
105.5	3.1406	3.2976	3.4625	3.6356	3.8174	251.25	263.81	277.00	290.85	305.39	546.24	573.55	602.23	632.34	663.95
106.0	3.2172	3.3781	3.5470	3.7244	3.9106	257.38	270.25	283.76	297.95	312.85	559.57	587.55	616.92	647.77	680.17
106.5	3.2976	3.4625	3.6356	3.8174	4.0083	263.81	277.00	290.85	305.39	320.66	573.55	602.23	632.34	663.95	697.15
107.0	3.3781	3.5470	3.7244	3.9106	4.1061	270.25	283.76	297.95	312.85	328.49	587.55	616.92	647.77	680.17	714.17
107.5	3.4625	3.6356	3.8174	4.0083	4.2087	277.00	290.85	305.39	320.66	336.70	602.23	632.34	663.95	697.15	732.02
108.0	3.5470	3.7244	3.9106	4.1061	4.3114	283.76	297.95	312.85	328.49	344.91	616.92	647.77	680.17	714.17	749.87
108.5	3.6356	3.8174	4.0083	4.2087	4.4191	290.85	305.39	320.66	336.70	353.53	632.34	663.95	697.15	732.02	768.61
109.0	3.7244	3.9106	4.1061	4.3114	4.5270	297.95	312.85	328.49	344.91	362.16	647.77	680.17	714.17	749.87	787.37
109.5	3.8174	4.0083	4.2087	4.4191	4.6401	305.39	320.66	336.70	353.53	371.21	663.95	697.15	732.02	768.61	807.05
110.0	3.9106	4.1061	4.3114	4.5270	4.7534	312.85	328.49	344.91	362.16	380.27	680.17	714.17	749.87	787.37	826.75
110.5	4.0083	4.2087	4.4191	4.6401	4.8721	320.66	336.70	353.53	371.21	389.77	697.15	732.02	768.61	807.05	847.40
111.0	4.1061	4.3114	4.5270	4.7534	4.9911	328.49	344.91	362.16	380.27	399.29	714.17	749.87	787.37	826.75	868.10
111.5	4.2087	4.4191	4.6401	4.8721	5.1157	336.70	353.53	371.21	389.77	409.26	732.02	768.61	807.05	847.40	889.77
112.0	4.3114	4.5270	4.7534	4.9911	5.2407	344.91	362.16	380.27	399.29	419.26	749.87	787.37	826.75	868.10	911.51
112.5	4.4191	4.6401	4.8721	5.1157	5.3715	353.53	371.21	389.77	409.26	429.72	768.61	807.05	847.40	889.77	934.25
113.0	4.5270	4.7534	4.9911	5.2407	5.5027	362.16	380.27	399.29	419.26	440.22	787.37	826.75	868.10	911.51	957.08
113.5	4.6401	4.8721	5.1157	5.3715	5.6401	371.21	389.77	409.26	429.72	451.21	807.05	847.40	889.77	934.25	980.98
114.0	4.7534	4.9911	5.2407	5.5027	5.7778	380.27	399.29	419.26	440.22	462.22	826.75	868.10	911.51	957.08	1004.91
114.5	4.8721	5.1157	5.3715	5.6401	5.9221	389.77	409.26	429.72	451.21	473.77	847.40	889.77	934.25	980.98	1030.02
115.0	4.9911	5.2407	5.5027	5.7778	6.0667	399.29	419.26	440.22	462.22	485.34	868.10	911.51	957.08	1004.91	1055.18
115.5	5.1157	5.3715	5.6401	5.9221	6.2182	409.26	429.72	451.21	473.77	497.46	889.77	934.25	980.98	1030.02	1081.53
116.0	5.2407	5.5027	5.7778	6.0667	6.3700	419.26	440.22	462.22	485.34	509.60	911.51	957.08	1004.91	1055.18	1107.92
116.5	5.3715	5.6401	5.9221	6.2182	6.5291	429.72	451.21	473.77	497.46	522.33	934.25	980.98	1030.02	1081.53	1135.60
117.0	5.5027	5.7778	6.0667	6.3700	6.6885	440.22	462.22	485.34	509.60	535.08	957.08	1004.91	1055.18	1107.92	1163.32
117.5	5.6401	5.9221	6.2182	6.5291	6.8556	451.21	473.77	497.46	522.33	548.45	980.98	1030.02	1081.53	1135.60	1192.39
118.0	5.7778	6.0667	6.3700	6.6885	7.0229	462.22	485.34	509.60	535.08	561.83	1004.91	1055.18	1107.92	1163.32	1221.47
118.5	5.9221	6.2182	6.5291	6.8556	7.1984	473.77	497.46	522.33	548.45	575.87	1030.02	1081.53	1135.60	1192.39	1252.00
119.0	6.0667	6.3700	6.6885	7.0229	7.3740	485.34	509.60	535.08	561.83	589.92	1055.18	1107.92	1163.32	1221.47	1282.55
119.5	6.2182	6.5291	6.8556	7.1984	7.5583	497.46	522.33	548.45	575.87	604.66	1081.53	1135.60	1192.39	1252.00	1314.59
120.0	6.3700	6.6885	7.0229	7.3740	7.7427	509.60	535.08	561.83	589.92	619.42	1107.92	1163.32	1221.47	1282.55	1346.68
120.5	6.5291	6.8556	7.1984	7.5583	7.9362	522.33	548.45	575.87	604.66	634.90	1135.60	1192.39	1252.00	1314.59	1380.34
121.0	6.6885	7.0229	7.3740	7.7427	8.1298	535.08	561.83	589.92	619.42	650.38	1163.32	1221.47	1282.55	1346.68	1413.99
121.5	6.8556	7.1984	7.5583	7.9362	8.3330	548.45	575.87	604.66	634.90	666.64	1192.39	1252.00	1314.59	1380.34	1449.34
122.0	7.0229	7.3740	7.7427	8.1298	8.5363	561.83	589.92	619.42	650.38	682.90	1221.47	1282.55	1346.68	1413.99	1484.69
122.5	7.1984	7.5583	7.9362	8.3330	8.7497	575.87	604.66	634.90	666.64	699.98	1252.00	1314.59	1380.34	1449.34	1521.83
123.0	7.3740	7.7427	8.1298	8.5363	8.9631	589.92	619.42	650.38	682.90	717.05	1282.55	1346.68	1413.99	1484.69	1558.94
123.5	7.5583	7.9362	8.3330	8.7497	9.1872	604.66	634.90	666.64	699.98	734.98	1314.59	1380.34	1449.34	1521.83	1597.92

SCHEDULE A
MISCELLANEOUS
EMPLOYEES
(FINAL)

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 11/06/79

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
124.0	7.7427	8.1294	8.5363	8.9631	9.4113	619.42	650.38	682.90	717.05	752.90	1346.68	1413.99	1484.69	1558.94	1636.88
124.5	7.9362	8.3330	8.7497	9.1872	9.6466	634.90	666.64	699.98	734.98	771.73	1380.34	1449.34	1521.83	1597.92	1677.82
125.0	8.1298	8.5363	8.9631	9.4113	9.8819	650.38	682.90	717.05	752.90	790.55	1413.99	1484.69	1558.94	1636.88	1718.73
125.5	8.3330	8.7497	9.1872	9.6466	10.1289	666.64	699.98	734.98	771.73	810.31	1449.34	1521.83	1597.92	1677.82	1761.69
126.0	8.5363	8.9631	9.4113	9.8819	10.3760	682.90	717.05	752.90	790.55	830.08	1484.69	1558.94	1636.88	1718.73	1804.68
126.5	8.7497	9.1872	9.6466	10.1289	10.6353	699.98	734.98	771.73	810.31	850.82	1521.83	1597.92	1677.82	1761.69	1849.77
127.0	8.9631	9.4113	9.8819	10.3760	10.8948	717.05	752.90	790.55	830.08	871.58	1558.94	1636.88	1718.73	1804.68	1894.90
127.5	9.1872	9.6466	10.1289	10.6353	11.1671	734.98	771.73	810.31	850.82	893.37	1597.92	1677.82	1761.69	1849.77	1942.28
128.0	9.4113	9.8819	10.3760	10.8948	11.4395	752.90	790.55	830.08	871.58	915.16	1636.88	1718.73	1804.68	1894.90	1989.65
128.5	9.6466	10.1289	10.6353	11.1671	11.7255	771.73	810.31	850.82	893.37	938.04	1677.82	1761.69	1849.77	1942.28	2039.39
129.0	9.8819	10.3760	10.8948	11.4395	12.0115	790.55	830.08	871.58	915.16	960.92	1718.73	1804.68	1894.90	1989.65	2089.14
129.5	10.1289	10.6353	11.1671	11.7255	12.3118	810.31	850.82	893.37	938.04	984.94	1761.69	1849.77	1942.28	2039.39	2141.36
130.0	10.3760	10.8948	11.4395	12.0115	12.6121	830.08	871.58	915.16	960.92	1008.97	1804.68	1894.90	1989.65	2089.14	2193.60
130.5	10.6353	11.1671	11.7255	12.3119	12.9274	850.82	893.37	938.04	984.94	1034.19	1849.77	1942.28	2039.39	2141.36	2248.43

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE B
FIREFIGHTERS

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
210.0	5.5632	5.8414	6.1335	6.4402	6.7622	623.08	654.24	686.95	721.30	757.37	1354.64	1422.38	1493.50	1568.18	1646.60
210.5	5.7024	5.9875	6.2869	6.6012	6.9313	638.67	670.60	704.13	739.33	776.31	1388.53	1457.95	1530.85	1607.38	1687.78
211.0	5.8414	6.1335	6.4402	6.7622	7.1003	654.24	686.95	721.30	757.37	795.23	1422.38	1493.50	1568.18	1646.60	1728.91
211.5	5.9875	6.2869	6.6012	6.9313	7.2779	670.60	704.13	739.33	776.31	815.12	1457.95	1530.85	1607.38	1687.78	1772.15
212.0	6.1335	6.4402	6.7622	7.1003	7.4553	686.95	721.30	757.37	795.23	834.99	1493.50	1568.18	1646.60	1728.91	1815.35
212.5	6.2869	6.6012	6.9313	7.2779	7.6418	704.13	739.33	776.31	815.12	855.88	1530.85	1607.38	1687.78	1772.15	1860.77
213.0	6.4402	6.7622	7.1003	7.4553	7.8281	721.30	757.37	795.23	834.99	876.75	1568.18	1646.60	1728.91	1815.35	1906.14
213.5	6.6012	6.9313	7.2779	7.6418	8.0239	739.33	776.31	815.12	855.88	898.68	1607.38	1687.78	1772.15	1860.77	1953.82
214.0	6.7622	7.1003	7.4553	7.8281	8.2195	757.37	795.23	834.99	876.75	920.58	1646.60	1728.91	1815.35	1906.14	2001.43
214.5	6.9313	7.2779	7.6418	8.0239	8.4251	776.31	815.12	855.88	898.68	943.61	1687.78	1772.15	1860.77	1953.82	2051.50

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 112
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE C
POLICE PERSONNEL

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

HOURLY

RANGE	A	B	C	D	E
310.0	8.0033	8.4035	8.8237	9.2649	9.7281
311.0	8.4035	8.8237	9.2649	9.7281	10.2145
312.0	8.8237	9.2649	9.7281	10.2145	10.7252
313.0	9.2649	9.7281	10.2145	10.7252	11.2615

BI-WEEKLY

A	B	C	D	E
640.26	672.28	705.90	741.19	778.25
672.28	705.90	741.19	778.25	817.16
705.90	741.19	778.25	817.16	858.02
741.19	778.25	817.16	858.02	900.92

MONTHLY

A	B	C	D	E
1391.99	1461.60	1534.70	1611.42	1691.99
1461.60	1534.70	1611.42	1691.99	1776.59
1534.70	1611.42	1691.99	1776.59	1865.42
1611.42	1691.99	1776.59	1865.42	1958.69

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

SCHEDULE D
CLASSIFIED MANAGEMENT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
410.0	3.9106	4.1061	4.3114	4.5270	4.7534	312.85	328.49	344.91	362.16	380.27	680.17	714.17	749.87	787.37	826.75
410.5	4.0083	4.2087	4.4191	4.6401	4.8721	320.66	336.70	353.53	371.21	389.77	697.15	732.02	768.61	807.05	847.40
411.0	4.1061	4.3114	4.5270	4.7534	4.9911	328.49	344.91	362.16	380.27	399.29	714.17	749.87	787.37	826.75	868.10
411.5	4.2087	4.4191	4.6401	4.8721	5.1157	336.70	353.53	371.21	389.77	409.26	732.02	768.61	807.05	847.40	889.77
412.0	4.3114	4.5270	4.7534	4.9911	5.2407	344.91	362.16	380.27	399.29	419.26	749.87	787.37	826.75	868.10	911.51
412.5	4.4191	4.6401	4.8721	5.1157	5.3715	353.53	371.21	389.77	409.26	429.72	768.61	807.05	847.40	889.77	934.25
413.0	4.5270	4.7534	4.9911	5.2407	5.5027	362.16	380.27	399.29	419.26	440.22	787.37	826.75	868.10	911.51	957.08
413.5	4.6401	4.8721	5.1157	5.3715	5.6401	371.21	389.77	409.26	429.72	451.21	807.05	847.40	889.77	934.25	980.98
414.0	4.7534	4.9911	5.2407	5.5027	5.7778	380.27	399.29	419.26	440.22	462.22	826.75	868.10	911.51	957.08	1004.91
414.5	4.8721	5.1157	5.3715	5.6401	5.9221	389.77	409.26	429.72	451.21	473.77	847.40	889.77	934.25	980.98	1030.02
415.0	4.9911	5.2407	5.5027	5.7778	6.0667	399.29	419.26	440.22	462.22	485.34	868.10	911.51	957.08	1004.91	1055.18
415.5	5.1157	5.3715	5.6401	5.9221	6.2182	409.26	429.72	451.21	473.77	497.46	889.77	934.25	980.98	1030.02	1081.53
416.0	5.2407	5.5027	5.7778	6.0667	6.3700	419.26	440.22	462.22	485.34	509.60	911.51	957.08	1004.91	1055.18	1107.92
416.5	5.3715	5.6401	5.9221	6.2182	6.5291	429.72	451.21	473.77	497.46	522.33	934.25	980.98	1030.02	1081.53	1135.60
417.0	5.5027	5.7778	6.0667	6.3700	6.6885	440.22	462.22	485.34	509.60	535.08	957.08	1004.91	1055.18	1107.92	1163.32
417.5	5.6401	5.9221	6.2182	6.5291	6.8556	451.21	473.77	497.46	522.33	548.45	980.98	1030.02	1081.53	1135.60	1192.39
418.0	5.7778	6.0667	6.3700	6.6885	7.0229	462.22	485.34	509.60	535.08	561.83	1004.91	1055.18	1107.92	1163.32	1221.47
418.5	5.9221	6.2182	6.5291	6.8556	7.1984	473.77	497.46	522.33	548.45	575.87	1030.02	1081.53	1135.60	1192.39	1252.00
419.0	6.0667	6.3700	6.6885	7.0229	7.3740	485.34	509.60	535.08	561.83	589.92	1055.18	1107.92	1163.32	1221.47	1282.55
419.5	6.2182	6.5291	6.8556	7.1984	7.5583	497.46	522.33	548.45	575.87	604.66	1081.53	1135.60	1192.39	1252.00	1314.59
420.0	6.3700	6.6885	7.0229	7.3740	7.7427	509.60	535.08	561.83	589.92	619.42	1107.92	1163.32	1221.47	1282.55	1346.68
420.5	6.5291	6.8556	7.1984	7.5583	7.9362	522.33	548.45	575.87	604.66	634.90	1135.60	1192.39	1252.00	1314.59	1380.34
421.0	6.6885	7.0229	7.3740	7.7427	8.1298	535.08	561.83	589.92	619.42	650.38	1163.32	1221.47	1282.55	1346.68	1413.99
421.5	6.8556	7.1984	7.5583	7.9362	8.3330	548.45	575.87	604.66	634.90	666.64	1192.39	1252.00	1314.59	1380.34	1449.34
422.0	7.0229	7.3740	7.7427	8.1298	8.5363	561.83	589.92	619.42	650.38	682.90	1221.47	1282.55	1346.68	1413.99	1484.69
422.5	7.1984	7.5583	7.9362	8.3330	8.7497	575.87	604.66	634.90	666.64	699.98	1252.00	1314.59	1380.34	1449.34	1521.83
423.0	7.3740	7.7427	8.1298	8.5363	8.9631	589.92	619.42	650.38	682.90	717.05	1282.55	1346.68	1413.99	1484.69	1558.94
423.5	7.5583	7.9362	8.3330	8.7497	9.1872	604.66	634.90	666.64	699.98	734.98	1314.59	1380.34	1449.34	1521.83	1597.92
424.0	7.7427	8.1298	8.5363	8.9631	9.4113	619.42	650.38	682.90	717.05	752.90	1346.68	1413.99	1484.69	1558.94	1636.88
424.5	7.9362	8.3330	8.7497	9.1872	9.6466	634.90	666.64	699.98	734.98	771.73	1380.34	1449.34	1521.83	1597.92	1677.82
425.0	8.1298	8.5363	8.9631	9.4113	9.8819	650.38	682.90	717.05	752.90	790.55	1413.99	1484.69	1558.94	1636.88	1718.73
425.5	8.3330	8.7497	9.1872	9.6466	10.1289	666.64	699.98	734.98	771.73	810.31	1449.34	1521.83	1597.92	1677.82	1761.69
426.0	8.5363	8.9631	9.4113	9.8819	10.3760	682.90	717.05	752.90	790.55	830.08	1484.69	1558.94	1636.88	1718.73	1804.68
426.5	8.7497	9.1872	9.6466	10.1289	10.6353	699.98	734.98	771.73	810.31	850.82	1521.83	1597.92	1677.82	1761.69	1849.77
427.0	8.9631	9.4113	9.8819	10.3760	10.8948	717.05	752.90	790.55	830.08	871.58	1558.94	1636.88	1718.73	1804.68	1894.90
427.5	9.1872	9.6466	10.1289	10.6353	11.1671	734.98	771.73	810.31	850.82	893.37	1597.92	1677.82	1761.69	1849.77	1942.28
428.0	9.4113	9.8819	10.3760	10.8948	11.4395	752.90	790.55	830.08	871.58	915.16	1636.88	1718.73	1804.68	1894.90	1989.65

Data Documents/Inc.

SCHEDULE D
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

	HOURLY					BI-WEEKLY					MONTHLY				
RANGE	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E
428.5	9.6466	10.1289	10.6353	11.1671	11.7255	771.73	810.31	850.82	893.37	938.04	1677.82	1761.69	1849.77	1942.28	2039.39
429.0	9.8819	10.3760	10.8948	11.4395	12.0115	790.55	830.08	871.58	915.16	960.92	1718.73	1804.68	1894.90	1989.65	2089.14
429.5	10.1289	10.6353	11.1671	11.7255	12.3118	810.31	850.82	893.37	938.04	984.94	1761.69	1849.77	1942.28	2039.39	2141.36
430.0	10.3760	10.8948	11.4395	12.0115	12.6121	830.08	871.58	915.16	960.92	1008.97	1804.68	1894.90	1989.65	2089.14	2193.60
430.5	10.6353	11.1671	11.7255	12.3118	12.9274	850.82	893.37	938.04	984.94	1034.19	1849.77	1942.28	2039.39	2141.36	2248.43
431.0	10.8948	11.4395	12.0115	12.6121	13.2427	871.58	915.16	960.92	1008.97	1059.42	1894.90	1989.65	2089.14	2193.60	2303.29
431.5	11.1671	11.7255	12.3118	12.9274	13.5738	893.37	938.04	984.94	1034.19	1085.90	1942.28	2039.39	2141.36	2248.43	2360.86
432.0	11.4395	12.0115	12.6121	13.2427	13.9048	915.16	960.92	1008.97	1059.42	1112.38	1989.65	2089.14	2193.60	2303.29	2418.43
432.5	11.7255	12.3118	12.9274	13.5738	14.2525	938.04	984.94	1034.19	1085.90	1140.20	2039.39	2141.36	2248.43	2360.86	2478.91
433.0	12.0115	12.6121	13.2427	13.9048	14.6000	960.92	1008.97	1059.42	1112.38	1168.00	2089.14	2193.60	2303.29	2418.43	2539.35
433.5	12.3118	12.9274	13.5738	14.2525	14.9651	984.94	1034.19	1085.90	1140.20	1197.21	2141.36	2248.43	2360.86	2478.91	2602.85
434.0	12.6121	13.2427	13.9048	14.6000	15.3300	1008.97	1059.42	1112.38	1168.00	1226.40	2193.60	2303.29	2418.43	2539.35	2666.32
434.5	12.9274	13.5738	14.2525	14.9651	15.7134	1034.19	1085.90	1140.20	1197.21	1257.07	2248.43	2360.86	2478.91	2602.85	2733.00
435.0	13.2427	13.9048	14.6000	15.3300	16.0965	1059.42	1112.38	1168.00	1226.40	1287.72	2303.29	2418.43	2539.35	2666.32	2799.63
435.5	13.5738	14.2525	14.9651	15.7134	16.4991	1085.90	1140.20	1197.21	1257.07	1319.93	2360.86	2478.91	2602.85	2733.00	2869.66
436.0	13.9048	14.6000	15.3300	16.0965	16.9013	1112.38	1168.00	1226.40	1287.72	1352.10	2418.43	2539.35	2666.32	2799.63	2939.60
436.5	14.2525	14.9651	15.7134	16.4991	17.3241	1140.20	1197.21	1257.07	1319.93	1385.93	2478.91	2602.85	2733.00	2869.66	3013.15
437.0	14.6000	15.3300	16.0965	16.9013	17.7464	1168.00	1226.40	1287.72	1352.10	1419.71	2539.35	2666.32	2799.63	2939.60	3086.59
437.5	14.9651	15.7134	16.4991	17.3241	18.1903	1197.21	1257.07	1319.93	1385.93	1455.22	2602.85	2733.00	2869.66	3013.15	3163.79
438.0	15.3300	16.0965	16.9013	17.7464	18.6337	1226.40	1287.72	1352.10	1419.71	1490.70	2666.32	2799.63	2939.60	3086.59	3240.93
438.5	15.7134	16.4991	17.3241	18.1903	19.0998	1257.07	1319.93	1385.93	1455.22	1527.98	2733.00	2869.66	3013.15	3163.79	3321.98
439.0	16.0965	16.9013	17.7464	18.6337	19.5654	1287.72	1352.10	1419.71	1490.70	1565.23	2799.63	2939.60	3086.59	3240.93	3402.97
439.5	16.4991	17.3241	18.1903	19.0998	20.0548	1319.93	1385.93	1455.22	1527.98	1604.38	2869.66	3013.15	3163.79	3321.98	3488.08
440.0	16.9013	17.7464	18.6337	19.5654	20.5437	1352.10	1419.71	1490.70	1565.23	1643.50	2939.60	3086.59	3240.93	3402.97	3573.13
440.5	17.3241	18.1903	19.0998	20.0548	21.0575	1385.93	1455.22	1527.98	1604.38	1684.60	3013.15	3163.79	3321.98	3488.08	3662.49
529.0	10.4289	10.9503	11.4978	12.0727	12.6763	834.31	876.02	919.82	965.82	1014.10	1813.87	1904.56	1999.78	2099.79	2204.75
530.0	10.9503	11.4978	12.0727	12.6763	13.3101	876.02	919.82	965.82	1014.10	1064.81	1904.56	1999.78	2099.79	2204.75	2315.00
531.0	11.4978	12.0727	12.6763	13.3101	13.9756	919.82	965.82	1014.10	1064.81	1118.05	1999.78	2099.79	2204.75	2315.00	2430.75
627.C	9.2791	9.7431	10.2303	10.7418	11.2789	742.33	779.45	818.42	859.34	902.31	1613.90	1694.60	1779.33	1868.29	1961.71
627.5	9.5111	9.9867	10.4860	11.0103	11.5608	760.89	798.94	838.89	880.82	924.86	1654.25	1736.98	1823.81	1914.99	2010.74
628.0	9.7431	10.2303	10.7418	11.2789	11.8428	779.45	818.42	859.34	902.31	947.42	1694.60	1779.33	1868.29	1961.71	2059.79
628.5	9.9867	10.4860	11.0103	11.5608	12.1388	798.94	838.88	880.82	924.86	971.10	1736.98	1823.81	1914.99	2010.74	2111.27
629.0	10.2303	10.7418	11.2789	11.8428	12.4349	818.42	859.34	902.31	947.42	994.79	1779.33	1868.29	1961.71	2059.79	2162.77
629.5	10.4860	11.0103	11.5608	12.1388	12.7457	838.88	880.82	924.86	971.10	1019.66	1823.81	1914.99	2010.74	2111.27	2216.84
630.0	10.7418	11.2789	11.8428	12.4349	13.0566	859.34	902.31	947.42	994.79	1044.53	1868.29	1961.71	2059.79	2162.77	2270.91
630.5	11.0103	11.5608	12.1388	12.7457	13.3830	880.82	924.86	971.10	1019.66	1070.64	1914.99	2010.74	2111.27	2216.84	2327.68
631.0	11.2789	11.8428	12.4349	13.0566	13.7094	902.31	947.42	994.79	1044.53	1096.75	1961.71	2059.79	2162.77	2270.91	2384.44
631.5	11.5608	12.1388	12.7457	13.3830	14.0522	924.86	971.10	1019.66	1070.64	1124.18	2010.74	2111.27	2216.84	2327.68	2444.08

SCHEDULE D
CLASSIFIED MANAGEMNT
AND CONF. EMPLOYEES

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

RANGE	HOURLY A	B	C	D	E	BI-WEEKLY A	B	C	D	E	MONTHLY A	B	C	D	E
632	11.8428	12.4349	13.0566	13.7094	14.3949	947.42	994.79	1044.53	1096.75	1151.59	2059.79	2162.77	2270.91	2384.44	2503.67
632	12.1388	12.7457	13.3830	14.0522	14.7548	971.10	1019.66	1070.64	1124.18	1180.38	2111.27	2216.84	2327.68	2444.08	2566.26
633	12.4349	13.0566	13.7094	14.3949	15.1146	994.79	1044.53	1096.75	1151.59	1209.17	2162.77	2270.91	2384.44	2503.67	2628.86
633	12.7457	13.3830	14.0522	14.7549	15.4925	1019.66	1070.64	1124.18	1180.38	1239.40	2216.84	2327.68	2444.08	2566.26	2694.58

OFFICIAL RATE=HOURLY RATE & BI-WEEKLY RATE
ACTUAL BI-WEEKLY SALARY=HOURLY RATE X 80
MONTHLY SALARY = BI-WKLY RATE X 2.1741

Data Documents/Inc.

SCHEDULE G
FIRE PREVENT BUREAU
CONVERSION SCHEDULE

CITY OF MODESTO
SCHEDULE OF SALARY RANGES IN CITY SERVICE
EFFECTIVE 7/03/79

HOURLY

RANGE	A	B	C	D	E
910.0	7.7885	8.1779	8.5868	9.0161	9.4669
910.5	7.9832	8.3824	8.8015	9.2416	9.7037
911.0	8.1779	8.5868	9.0161	9.4669	9.9402
911.5	8.3824	8.8015	9.2416	9.7037	10.1889
912.0	8.5868	9.0161	9.4669	9.9402	10.4372
912.5	8.8015	9.2416	9.7037	10.1889	10.6983
913.0	9.0161	9.4669	9.9402	10.4372	10.9591
913.5	9.2416	9.7037	10.1889	10.6983	11.2332
914.0	9.4669	9.9402	10.4372	10.9591	11.5071
914.5	9.7037	10.1889	10.6983	11.2332	11.7949

BI-WEEKLY

A	B	C	D	E
623.08	654.23	686.94	721.29	757.35
638.66	670.59	704.12	739.33	776.30
654.23	686.94	721.29	757.35	795.22
670.59	704.12	739.33	776.30	815.11
686.94	721.29	757.35	795.22	834.98
704.12	739.33	776.30	815.11	855.86
721.29	757.35	795.22	834.98	876.73
739.33	776.30	815.11	855.86	898.66
757.35	795.22	834.98	876.73	920.57
776.30	815.11	855.86	898.66	943.59

MONTHLY

A	B	C	D	E
1354.64	1422.36	1493.48	1568.16	1646.55
1388.51	1457.93	1530.83	1607.38	1687.75
1422.36	1493.48	1568.16	1646.55	1728.89
1457.93	1530.83	1607.38	1687.75	1772.13
1493.48	1568.16	1646.55	1728.89	1815.33
1530.83	1607.38	1687.75	1772.13	1860.73
1568.16	1646.55	1728.89	1815.33	1906.10
1607.38	1687.75	1772.13	1860.73	1953.78
1646.55	1728.89	1815.33	1906.10	2001.41
1687.75	1772.13	1860.73	1953.78	2051.46

Data Documents Inc

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1979-80

(Effective 7-3-79, Amended 9-11-79, 11-6-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
118.5	Animal Control Officer
112.0	Animal Control Trainee
124.5	Arborist
122.0	Assistant Building Inspector
633.0	Assistant Chief of Police
434.0	Assistant City Attorney
420.5	Assistant City Clerk
429.0	Assistant Civil Engineer
436.0	Assistant Director of Public Works
426.0	Assistant Chief Electrician
122.5	Assistant Electrician
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
123.0	Crime Analyst
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
430.0	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
116.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant (Risk Manager)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
113.5	Office Services Clerk
122.5	Office Services Supervisor
106.5	Office Aide
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
433.0	Parks and Recreation Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
426.0	Plan Review Engineer I
429.0	Plan Review Engineer II
117.5	Planning Technician I
120.5	Planning Technician II
123.5	Planning Technician III
632.0	Police Captain
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
425.0	Public Services Inspector
114.5	Public Services Trainee
122.5	Public Works Leadworker

Range No.	Title of Classification
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
124.0	Purchasing Assistant
429.0	Purchasing Officer
426.0	Recreation Supervisor
117.5	Recreation Program Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
426.5	Senior Building Inspector
416.5	Senior Personnel Clerk
423.5	Senior Personnel Technician
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
423.5	Social Services Coordinator
429.0	Shop Supervisor
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
425.0	Zoning Inspector

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1166

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 22-3-9 OF THE ZONING MAP (JAMES AND BARBARA BRADY)

WHEREAS, the Modesto City Planning Commission held a public hearing on October 15, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to R-2 property located on the west side of Rose Avenue north of Coolidge Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-267 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 22-3-9 of the Zoning Map be set for December 11, 1979, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Section 22, Township 3 South, Range 9 East, M.D.B. & M., described as follows:

Parcel 1 as shown upon that certain Parcel Map filed July 8, 1977, in Volume 25 of Parcel Maps, page 57, Stanislaus County Records; being a portion of Lot 3 of BROUGHTON COLONY, and also the westerly 30 feet of Rose Avenue immediately adjacent to said Parcel 1.

SCHEDULE "A"

JAMES & BARBARA BRADY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1167

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON POSSIBLE MITIGATION MEASURES RELATING TO URBANIZATION OF PRIME AGRICULTURAL LANDS (EPA EIS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** possible mitigation measures relating to urbanization of prime agricultural lands.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th **day of** November**, 19**79**, by Councilmember** Lang**, who moved its adoption, which motion being duly seconded by Councilmember** Muratore**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1168

A RESOLUTION APPOINTING MEMBER OF THE YOUTH COMMISSION

WHEREAS, Section 1102 of the Charter of the City of Modesto authorizes the City Council to appoint members to various Boards and Commissions;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The following person is hereby appointed to the Youth Commission for the respective term as indicated:

Allison Foster, Downey High School (term to expire 6/1/80)
Lantz Ellis, Downey High School (term to expire 12/1/80)
Lisa Schlecht, Davis High School (term to expire 12/1/80)
Sylvia Biagini, Davis High School (term to expire 6/1/80)

SECTION 2. The City Clerk is hereby directed to transmit a copy of this resolution to the newly appointed member of the Youth Commission and the Secretary thereof.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1169

A RESOLUTION APPROVING THE FINAL MAP OF THE GOLD VINEYARD ESTATES SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, Parkview I, a limited partnership

is (~~acas~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 10.932 acres, known as the Gold Vineyard Estates Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 5th day of July, 1978, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Gold Vineyard Estates Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 6th day of November, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Council-

member Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian

NOES: Councilmembers: None

ABSENT: Councilmembers: Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1170

A RESOLUTION URGING THE CREATION OF A LAKE TAHOE NATIONAL RECREATION AREA.

WHEREAS, Lake Tahoe, located in both California and Nevada, is a recreational, wilderness and scenic area of national importance, and

WHEREAS, Lake Tahoe is acclaimed as one of the world's most unique mountain lakes with characteristics similar to only one other lake in the world and attracts more visitors per year than any other recreation area of national significance in America, and

WHEREAS, over seventy-one percent of the land in the Lake Tahoe basin is held in public ownership, meaning the Lake Tahoe region belongs primarily to the people of the United States of America as a whole, and

WHEREAS, the environmental quality of Lake Tahoe has declined at an alarming rate over the past decade due to rapid and almost uncontrollable urbanization which has caused federal clean air quality standards to be violated frequently, water clarity to be reduced by sixteen percent since 1970, and over half the meadows in the basin to be converted to urban use, and

WHEREAS, the deterioration of Lake Tahoe is predicted to worsen dramatically because of the recent approval of four major gambling casino projects which will double the current population and subsequently multiply the threats to the fragile environment of Lake Tahoe, and

WHEREAS, repeated attempts have been made by state, regional and local governments to manage the competing interests at the lake in the best interests of the Tahoe basin, but all have met with dismal failure and continued irreversable harm to the area, and

WHEREAS, the inability of these levels of government to adequately protect and preserve the public's resources and investment in Lake Tahoe leaves no other choice except to ask for federal intervention in the management of the Lake Tahoe basin, and

WHEREAS, the creation of a Lake Tahoe National Recreation Area, administered by the U. S. Department of Agriculture through the U. S. Forest Service could protect Lake Tahoe by giving these agencies authority for management, planning, acquisition and enforcement of zoning and environmental standards in the basin, and

WHEREAS, the National League of Cities has been an advocate for the preservation of our nation's most precious natural resources and has sought to assure our citizens continued opportunity to experience the scenic majesty of our country's irreplaceable natural beauty and heritage,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it urges the National League of Cities to support legislation to protect Lake Tahoe from further environmental harm through the creation of a Lake Tahoe National Recreation Area.

BE IT FURTHER RESOLVED that the National League of Cities and Congress are urged to seek creative ways to fund the land acquisition necessary for creation of a Lake Tahoe National Recreation Area to preserve and protect Lake Tahoe for generations to come.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember

Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1171

A RESOLUTION SETTING TIME AND PLACE FOR HEARING AN APPEAL BY DEL TACO, INC., TO A DECISION OF THE BOARD OF ZONING ADJUSTMENT CONCERNING A CONDITIONAL USE PERMIT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an appeal by Del Taco, Inc., to a decision of the Board of Zoning Adjustment concerning a Conditional Use Permit.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November**, 19** 79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1172

A RESOLUTION AUTHORIZING CONTRACT WITH GORDON HART FOR ENGINEERING DESIGN WORK ON THE INTERIM BUS TERMINAL AT 9TH AND I STREETS

WHEREAS, at their meeting on July 17, 1979, the City Council authorized enlisting architectural services to transform the former Book Nook into an interim bus terminal; and

WHEREAS, after interviews, the Interview Committee has recommended that the services of Gordon Hart be enlisted to design the project and monitor its construction.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that a contract with Gordon Hart for engineering design work on the interim bus terminal at 9th and I Streets is hereby authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Kullijian , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1173

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SIERRA ROOFING'S CONTRACT FOR REROOFING OF POLICE STATION AS COMPLETE

WHEREAS, a repcrt has been filed by the Director of Public Works **that the construction cf** reroofing of the Police Station **has been ccmpleted by** Sierra Roofing **in accordance with the contract agreement dated** October 9, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of reroofing of the Police Station **be accepted from said contractcr,** Sierra Roofing;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $9,425 **as provided in the contract, be authorized.**

The foregcing resolutien was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November, **19**79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vcte:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1174

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1224 Brady Avenue, Lot 12 of Block 6004 (George W. Jewett - $352.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 18, 19 78, adopt its Resolution No. 78-990, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of Sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $352.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $352.00, be assessed in seven (7) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Bl. 6004 of Monaco Tract as per map filed 12/29/39 in Vol. 11 of Maps, Pg. 67, Stanislaus County Records,
(Stanislaus County Assessor's Parcel No. 002-01 119-1249-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1175

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 2617 Brenner Way, Lot 3 of Block 7255 (Joel Butler - $325.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 1978, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of Sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $325.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $325.00, be assessed in six (6) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 3 of Bl. 7255 of Highway Village as per map filed 4/25/47 in Vol. 16 of Maps, Pg. 41, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-06 005-4403-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1176

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 2521 Brenner Way, Lot 12 of Block 7255 (Lyndell C. Halbert - $185.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 1978, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of Sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $185.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $185.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 12 of Bl. 7255 of Highway Village as per map filed 4/25/47 in Vol. 16 of Maps, Page 41, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-06 005-4412-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1177

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 2621 Brenner Way, Lot 2 of Block 7255 (James B. Perry - $760.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 1978, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $760.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $760.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 2 of Bl. 7255 of Highway Village as per map filed 4/25/47 in Vol. 16 of Maps, Page 41, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-06 005-4402-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1178

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 801 Barham Court, Lot 4 of Block 6125 (Fred M. Kisner - $979.60)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner ----------, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of _____ Sidewalk _____ on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $979.60.

SECTION 2. That the cost of the aforesaid work, being the amount of $979.60, be assessed in three (3) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 4 of Bl. 6125 of Barham Tract as per map filed 2/25/53 in Vol. 17 of Maps, Pg. 49, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 118-0511-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1179

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 216 Campus Way, Lot 1 of Block 450 (Paul Benningfield - $1331.25)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,331.25.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,331.25, be assessed in ten (10) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 1 of Bl. 450 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Page 450, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 109-1420-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1180

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1600 Pearl Street, a portion of Block 6081 (Jeffery A. Holland- $274.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 18, 19 78, adopt its Resolution No. 78-990, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $274.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $274.00, be assessed in five (5) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The North 77.50 feet of Lot 17 of Bl. 6081 of Wilen Tract 4/27/45 in Vol. 14 of Maps, Page 32, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 117-1201-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1181

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1444 Del Vale Avenue, Lot 28 of Block 6080 (Hill and Trousdale - $465.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 18, 19 78, adopt its Resolution No. 78-990, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $465.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $465.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 28 of Bl. 6080 of Wilen Tract as per map filed 4/27/45 in Vol. 14 of Maps, Pg. 32, Stanislaus County Records,
(Stanislaus County Assessor's Parcel No. 002-01 117-0901-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1182

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1541 Cherrywood Drive, Lot 22 of Block 6023 (Dilwyn B. Studebaker - $614.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 18, 1978, adopt its Resolution No. 78-990, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $614.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $614.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 22 of Bl. 6023 of College Fig Garden as per map filed 3/4/53 in Vol. 17 of Maps, Pg. 50, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-03 117-1843-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1183

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1128 Floyd Avenue, a portion of Block 12930 (Merlin T. Denlinger - $884.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner, 19____, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of _____ curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $884.00.

SECTION 2. That the cost of the aforesaid work, being the amount of 884.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the NE corner of Lot 21 of Coffee Colony as per map filed 1/13/06 in Vol. 2 of Maps, Pg. 22, Stan. Cty. Records; thence W.739'; thence S.30' to the true point of beginning; thence W.75'; thence S.125'; thence E.75'; thence N.125' to the true point of beginning.

(Stanislaus County Assessor's Parcel No. 002-08 120-1872-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1184

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1132 Floyd Avenue, a portion of Block 12930 (Sheila A. Duckworth - $1316.50)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No, ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,316.50.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,316.50, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the NE corner of Lot 21 of Coffee Colony as per map filed 1/13/06 in Vol. 2 of Maps, Pg. 22, Stanislaus County Records; thence W. 626'; thence S. 30' to the true point of beginning; thence W. 113'; thence S. 125'; thence E. 113'; thence N. 125' to the true point of beginning.

(Stanislaus County Assessor's Parcel No. 002-08 120-1873-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1185

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1204 Floyd Avenue, a portion of Block 12930 (Clifford E. Ingram - $1416.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on December 12, 19 77, adopt its Resolution No. 77-1281, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,416.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,416.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the NE. corner, Lot 21 of Coffee Colony as per map filed 1/13/06 in Vol. 2 of maps, Pg. 22, Stanislaus County Records; thence W. 506'; thence S. 30' to the true point of beginning; thence W. 120'; thence S. 125'; thence E. 20'; thence S. 40'; thence E. 100'; thence N. 165' to the point of beginning.
(Stanislaus County Assessor's Parcel No. 002-08 120-1874-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1186

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1208 Floyd Avenue, a portion of Block 12930 (William R. Merritt, Jr. - $1187.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on December 12, 1977, adopt its Resolution No. 77-1281, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,187.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,187.00 in ten (10) annual installments, be assessed/as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The S. 160' of the N. 190' of the W. 100' of the E. 506' of Lot 21 of Coffee Colony as per map filed 1/13/06 in Vol. 2 of Maps, Pg. 22, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 120-1875-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1187

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN -1216 Floyd Avenue, a portion of Block 12930 (William R. Merritt, Jr. and June A. Silva - $1,187.00)

WHEREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on December 12, 19 77, adopt its Resolution No. 77-1281, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,187.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,187.00, be assessed in ten (10) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The S. 160' of the N. 190' of the W. 100' of the E. 406' of Lot 21 of Coffee Colony as per map filed 1/13/06 in Vol. 2 of Maps, Pg. 22, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 120-1876-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1188

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 132 Maynel Avenue, Lot 36 and 37 of Block 558 (Theodore W. Werning - $1460.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,460.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,460.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 36 and 37 of Bl. 558 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 558, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 111-0173-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1189

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 325 Maze Blvd., Lot 1 and 2 of Block 421 (H.W. Garber - $1910.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,910.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,910.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 1 and 2 of Bl. 421 as per map filed 12/21/42 in Vol. 15 of Maps, Page 421, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 101-0501-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1190

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 523 Franklin Avenue, a portion of Block 4091 (Mary A. Webb - $1113.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,113.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,113.00, be assessed in ten (10) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Commencing at the SE. corner of Lot 9 of Spencer Colony as per map filed 12/16/04 in Vol. 2 of Maps, Pg. 3, Stanislaus Cty. Records; thence W. 30'; thence N. 130' to the true point of beginning; thence W. 321'; thence N. 140'; thence E. 181'; thence S. 61'; thence E. 140'; thence S. 79' to the point of beginning. (Stanislaus County Assessor's Parcel No. 002-01 030-1024-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1191

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1012 G Street, a portion of Block 71 (Elmo E. Wilson - $710.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the repair of sidewalk was performed in accordance with Sections 5610 to 5614 inclusive of the Streets & Highways Code / ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $710.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $710.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:
Lots 27, 28, 29, 30, 31 and 32 of Bl. 71 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 71, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 106-4009-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1192

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 322 W. Granger Avenue, a portion of Block 6130 (National Medical Development Corp. - $810.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on December 12, 19 77, adopt its Resolution No. 77-1281, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $810.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $810.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The S. 130' of the N. 160' of the W. 50' of the E. 279.74' of Lot #2 of Mensinger Colony as per map filed May 18, 1909 in Vol. 4 of Maps, Pg. 25, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 119-0905-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1193

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1422 Leonard Avenue, a portion of Block 901 (Alvin R. Rumsey - $442.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 1978, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $442.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $442.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 89.5' of Lot 9 and the W. .5' of Lot 10 of Bl. 901 of Evergreen Acres, as per map filed 9/21/12 in Vol. 7, of Maps, Pg. 7, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-03 115-0103-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1194

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1905 Valle Vista Avenue, a portion of Block 6905 (Jesse B. Pinedo - $398.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on December 12, 19 77, adopt its Resolution No. 77-1281, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $398.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $398.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 5' of Lot 15 and Lot 16 of Bl. 6905 of McHenry Village #1 as per map filed 8/25/54 in Vol. 5 of Maps, Pg. 18, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-08 120-3022-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1195

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 501 Palm Avenue, a portion of Block 664 (Helen Rubino - $1709.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on September 18, 1978, adopt its Resolution No. 78-990, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,709.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,709.00, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lot 8 and the N. 43.23' of Lot 7 of Bl. 664 of Palmetto Park as per map filed 1/25/39 in Vol. 11 of Maps, Pg. 56, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 112-0247-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1196

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 102 Rosemont Avenue, Lot 43 and 44 of Block 327 (Charles R. Bullard - $950.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, ~~on~~ waived by property owner ----------, 19---, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of _____ curb _____ on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $950.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $950.00, be assessed in seven (7) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The E. 80' of Lots 43 and 44 of Bl. 327 of City of Modesto, as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 327, Stanislaus County Records.

(Stanislaus County Assessor's Parcel No. 002-01 102-0835-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1197

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN- 132 Rosemont Avenue, Lot 29 and 30 of Block 327 (Shirley J. Dunn - $360.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner, 19---, adopt its Resolution No. ---; ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $360.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $360.00, be assessed in seven (7) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 29 and 30 of Bl. 327 of City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 327, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 102-0842-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1198

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 121 Rosemont Avenue, Lot 11 and 12 of Block 326 (Juan Martinez - $330.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner, 19----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $330.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $330.00, be assessed in seven (7) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 11 and 12 of Bl. 326 of City of Modesto, as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 326, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 102-0852-001)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1199

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 153 S. Santa Cruz Avenue, Lot 5 and 6 of Block 2053 (Richard F. Bettencourt - $2356.25)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 1979, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $2,356.25.

SECTION 2. That the cost of the aforesaid work, being the amount of $2,356.25, be assessed as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 5 and 6 of Bl. 1 of Del Este Subd. as per map filed 4/14/14 in Vol. 3 of Maps, Pg. 12, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 035-0340-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Section 5893 of the California Streets and Highways Code, it is hereby ordered that the notice of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1200

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911, ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 137 S. Santa Cruz Avenue, a portion of Block 2053 (Benjamin L. Zakarian - $975.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on May 22, 19 78, adopt its Resolution No. 78-528, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $975.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $975.00, be assessed in ten (10) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

The N. 38' of Lot 3 of Bl. 1 of Del Este Subd. as per map filed 4/14/14 in Vol. 8 of Maps, Pg. 12, Stanislaus County Records.
(Stanislaus County Assessor's Parcel No. 002-01 035-0342-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Cole
NORRINE COLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1201

A RESOLUTION CONFIRMING THE REPORT OF THE SUPERINTENDENT OF STREETS CONCERNING THE WORK OF CONSTRUCTION OF CURB AND SIDEWALK ALONG CERTAIN STREETS IN THE CITY OF MODESTO IN ACCORDANCE WITH THE IMPROVEMENT DISTRICT ACT OF 1911 ASSESSING THE COST OF CONSTRUCTION AGAINST THE PARCEL OF REAL PROPERTY FRONTING UPON THE IMPROVEMENT, AND DIRECTING THE METHOD OF COLLECTION OF SAID LIEN - 1430 Tenth Street, Lots 27-32 of Block 63 (Tsuneo Iwata - $1873.00)

WHHREAS, Chapter 27 of Part 3 of Division 7 (Sections 5870 et seq.) of the Streets and Highways Code of the State of California establishes a procedure pursuant to which the construction of certain improvements may be required, and

WHEREAS, the Council did, on waived by property owner ----------, 19-----, adopt its Resolution No. ----------, ordering the installation of certain improvements along certain streets in the City of Modesto as provided therein, and directing the Superintendent of Streets to give notice requiring the construction of such improvements, and

WHEREAS, in compliance with the provisions of Chapter 27 of Part 3 of Division 7 of the Streets and Highways Code the Superintendent of Streets proceeded to cause the completion of the construction of _____ curb and sidewalk on property abutting the property hereafter described, and

WHEREAS, November 13, 19 79, at 7:30 o'clock P.M. in the Council Chambers, located in the City Hall, 801 Eleventh Street, Modesto, California, was set as the time and place for hearing and passing upon the report of the Superintendent of Streets with respect to the construction of said improvement, and

WHEREAS, at the time of said hearing, said Council received the report of the Superintendent of Streets, as submitted, and on file in the office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The report of the Superintendent of Streets as submitted and on file in the office of the City Clerk is hereby confirmed and the cost of such work is determined to be in the total amount of $1,873.00.

SECTION 2. That the cost of the aforesaid work, being the amount of $1,873.00, be assessed in five (5) annual installments as a lien against the parcel(s) of property fronting upon the work so constructed.

All that real property in the City of Modesto, County of Stanislaus, State of California, described as follows:

Lots 27, 28, 29, 30, 31 and 32 of Bl. 63 of the City of Modesto as per map filed 12/21/42 in Vol. 15 of Maps, Pg. 63, Stanislaus County Records. (Stanislaus County Assessor's Parcel No. 002-01 105-3314-003)

SECTION 3. Said assessment shall bear interest on the unpaid balance at the rate of six (6%) per cent per annum, said interest to begin to run on the 31st day after the adoption of this resolution.

SECTION 4. In accordance with the provisions of Sections 5893 and 5895 of the California Streets and Highways Code, it is hereby ordered that the notice of each annual installment of said lien be delivered to the Stanislaus County Auditor, who shall enter the amount thereof on the County Assessment Book opposite the description of the particular property and the amount shall be collected together with all other taxes thereon against the property. The Director of

(installment)

thereon against the property. The Director of Finance shall annually deliver said notice of lien to the County Auditor before the date fixed by law for the delivery of the Assessment Book to the County Board of Equalization. The lien shall be collected in accordance with the procedure prescribed in Section 5894 of the California Streets and Highways Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1202

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 78-107 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PREZONED PLANNED DEVELOPMENT ZONE, P-PD(177). (MILTON DAVID)"

WHEREAS, the City Council, by Ordinance No. 1702-C. S. which was introduced on January 9, 1978, finally adopted on January 16, 1978, and which became effective on February 15, 1978, amended Section Map 2-3-8 of the Zoning Map to prezone to Planned Development Zone, P-D(177), property located at the southwest corner of Dale Road and Pelandale Avenue to allow a neighborhood shopping center and a 122-unit two-story apartment complex adjoining to the west, and

WHEREAS, City Council Resolution No. 78-107 which was adopted on January 9, 1978, approved a development plan for P-D(177) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(177) was filed by Milton C. David, M. D., Inc. on August 20, 1979, to amend Planned Development Zone, P-D(177) to allow 122 condominium units instead of apartments, as previously approved, which portion of P-D(177) is located on the south side of Pelandale Avenue west of Dale Road, and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 1, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-253, found and determined that an amendment to P-D(177) to allow 122 condominium units instead of apartments is required by public necessity, convenience, and general welfare for the following reasons:

1. The amendment to P-D(177) will allow sale of individual dwellings in a project which has already been approved by the Planning Commission and City Council for a rental development only.

2. The conditions of approval will assure that the development will be constructed and maintained to the best interests of the general public as well as the individual property owners, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on November 13, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit 122 condominiums instead of apartments is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 79-253 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 78-107 entitled "A Resolution Approving a Development Plan for Prezoned Planned Development Zone, P-PD(177) (Milton David)" is hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(177) is hereby approved in accordance with the plans titled "Shopping Center Study for Dr. Milton David and Clarence Ferrari" and "Dimensional Plan Garden Apartments", as amended in red on their face, stamped approved by the Planning Commission on December 6, 1977, which plans are on file in the Planning and Community Development Department, subject to the following conditions:

1. That all development shall be in accordance with the plans referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed in the 10-foot wide landscaping strips along the east, west, and south boundaries of the commercial portion of the project.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash and other debris.

4. That the development shall be connected to the City of Modesto water and sewer facilities in accordance with the requirements of the Director of Public Works.

5. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

6. That the applicant shall install six fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed prior to the start of construction.

7. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If a trash enclosure is used, it shall be constructed of the same building materials used in the main buildings or as approved by the Director of Planning and Community Development.

8. That only those uses specifically permitted in the Neighborhood Commercial (C-1) Zone shall be permitted to locate within the shopping center.

9. That two freestanding shopping center identification signs shall be permitted, one each on the Pelandale Avenue and Dale Road frontages of the shopping center to identify the shopping center portion of the project. Said freestanding signs shall not exceed 72 square feet in area and 20 feet in height. All additional signs within the shopping center shall comply with the sign requirements of the H-1 Zone. No signs shall be permitted on the westerly and southerly faces of the commercial structures except for the freestanding structures adjacent to the street frontages. All signs identifying the residential portion of the project shall comply with the sign requirements of the R-3 Zone.

10. That all outdoor lighting shall be shielded from adjacent residential areas in accordance with the requirements of the City Engineer.

11. That no operations conducted on the premises shall cause an unreasonable amount of noise, odor, dust, mud, smoke, vibration, or electrial interference detectable off the premises. All machinery or equipment located on the premises shall be sound-proofed in accordance with the requirements of the Director of Public Works and shall not be located closer than 40 feet to adjacent residentially zoned properties.

12. That all activities in the loading dock areas west and south of the main shopping center structures including the parking of trucks may be conducted only between the hours of 7 a.m. and 10 p.m. of each day.

13. That the loading dock areas west and south of the main shopping center structures may not be used for outside storage of any type of material.

14. That all businesses in the shopping center may be open to the public only between the hours of 7 a.m. and 10 p.m. of each day, seven days a week, unless a use permit is obtained from the Board of Zoning Adjustment, in accordance with the provisions of Article 20 of Chapter 2 of Title X of the Modesto Municipal Code, after a public hearing to allow one or more businesses to open for additional business hours.

15. That the supermarket shall be a minimum size of 20,000 square feet and shall be constructed within the first phase of the shopping center portion of the project, and shall be the first use to open for business.

16. That prior to occupancy of the shopping center, a masonry wall along the south and west sides of the shopping center shall be constructed to an 8-foot height, and a 6 foot high masonry pilaster and board or masonry pilaster and grapestake fence shall be constructed along the west and south boundaries of the apartment portion of the project, prior to occupancy of the project.

17. That prior to obtaining a building permit or upon demand by the City, the developer shall dedicate the required right-of-way to provide 50 feet of right-of-way south of the centerline along the Pelandale Avenue frontage and 50 feet of right-of-way west of the centerline along the Dale Road frontage.

18. That the developer shall improve Pelandale Avenue and Dale Road to major street standards in accordance with the requirements of the Director of Public Works.

19. That prior to the issuance of a building permit the developer shall submit street improvement plans prepared by a registered civil engineer for approval by the City Engineer.

20. That prior to the issuance of a building permit, the developer shall pay to the City of Modesto the cost of planting street trees every 40 feet along the public streets, the total number to be determined by the Director of Public Works.

21. That all public improvements shall be installed prior to occupancy of the premises or by March 1, 1981, whichever occurs first.

22. That public utility easements as required by the utility companies serving the development shall be dedicated by the developer.

23. That in the residential portion of the project, all utilities shall be underground including T.V. reception facilities. No antennas shall be permitted.

24. That prior to sale of any condominiums, a subdivision map shall be recorded.

25. That prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities in the residential portion of P-D(177). These documents shall be recorded concurrently with the final subdivision map.

26. That prior to sale of any condominium units the developer shall obtain certification from the Chief Building Official that all construction conforms to all applicable standards administered by the Chief Building Official.

27. That all private streets and parking areas in the residential portion of P-D(177) shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

28. That the number of parking spaces to be provided for each condominium unit in the residential portion of P-D(177) shall, at a minimum, conform with the number of parking spaces per dwelling unit determined by the City Council as the standard for condominium developments in Modesto. Said determination to be made by the City Council after review of the City staff report dated November, 1979 and entitled "Patio House and Condominium Development in City of Modesto". Said review to be commenced by the City Council in December, 1979.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 78-107 adopted on January 9, 1978, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES; Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1203

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 75-980 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(133). (LANCE E. ELLIS AND CAROL L. ELLIS)" AS AMENDED BY RESOLUTION NO. 78-806.

WHEREAS, the City Council, by Ordinance No. 1474-C. S. which was introduced on October 6, 1975, finally adopted on October 23, 1975, and which became effective on November 22, 1975, amended Section 7-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(133), property located on the north side of Standiford Avenue and on the west side of Tully Road, to allow C-1 Zone uses on the easterly portion and allowing P-O Zone uses on the westerly portion except for certain preexisting and specified C-1 Zone uses, and

WHEREAS, City Council Resolution No. 75-980 was adopted on October 6, 1975, and approved the development plan for P-D(133) and contained the conditions of approval thereof, and

WHEREAS, City Council Resolution No. 78-806 which was adopted on August 7, 1978, amended Section 1 of Resolution No. 75-980 referred to above, to amend the conditions contained therein, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(133) to allow alcoholic beverages to be served in conjunction with the Marcella Restaurant, located in the easterly all-commercial portion of P-D(133) was filed by Alfredo and Emma Duran on August 31, 1979, and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 1, 1979, in the City Council Chambers, City Hall, 801 - 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-252, found and determined that an amendment to P-D(133) to permit serving alcoholic beverages in conjunction with the Marcella Restaurant, located in the easterly all-commercial portion thereof is required by public necessity, convenience, and general welfare for the following reasons:

1. The Marcella Restaurant is located in a commercial area that is somewhat different from the typical neighborhood commercial shopping center due in part to the large quantity of nearby commercial land and the remoteness of the commercial/office land from residential development.

2. The well-established restaurant will serve cocktails in conjunction with meals and due to restriction of hours will not take on a late night bar function after typical dinner hours, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801-11th Street, Modesto, California, on November 13, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit serving alcoholic beverages in conjunction with the Marcella Restaurant, located in the easterly all-commercial portion of P-D(133) is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 79-252 and quoted above, and

WHEREAS, the City Council at said Council meeting reviewed and considered the findings of the Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(133),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 75-980, entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(133). (Lance E. Ellis and Carol L. Ellis)" as amended by Resolution No. 78-806, is hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(133) is hereby approved in accordance with the plan titled 'Plot for Rezoning', as amended in red on its face, stamped approved by the Planning Commission on August 19, 1975, and on file in the office of the Planning Director, as amended by the plan entitled 'Frontier Town Phase II,' as amended in red on its face,

stamped approved by the Planning Commission on June 20, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. **That all development shall be in accordance with the plan referred to above.**

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation and the Director of Planning and Community Development. The landscaping and irrigation system shall be by underground sprinkler system. A 10-foot wide landscaped strip shall be installed along the undeveloped frontages of both Tully Road and Standiford Avenue.

3. That prior to the issuance of a building permit for any additional development or upon demand by the City, the developer shall dedicate five additional feet of right-of-way for both the Tully Road and Standiford Avenue frontages of P-D(133).

4. That the developer shall upgrade the existing sidewalk to provide for a total 10-foot wide commercial width sidewalk on both the Tully Road and Standiford Avenue frontages.

5. That the developer shall install street lights in accordance with the standards of the Director of Public Works.

6. That prior to the issuance of a building permit, the developer shall submit street improvements plans prepared by a registered Civil Engineer for approval by the City Engineer.

7. That all public improvements, including street lights, that relate to particular increments of development, as determined by the Director of Public Works, shall be installed prior to the occupancy of any buildings to be constructed after the effective date of this P-D; however, all public improvements, including street lights, shall be installed by August 19, 1977.

8. That prior to the issuance of any building permit, if all required public improvements have not been installed, a cash deposit, savings and loan certificate, surety bond or other instrument of credit in an amount to be determined by the City Engineer shall be filed with the City Clerk to guarantee that all public improvements that relate to particular increments of development, as determined by the Director of Public Works, are installed prior to occupancy, and that all public improvements, including street lights, are installed by August 19, 1977, whichever occurs first.

9. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

10. That the development shall be connected to the City of Modesto sewer facilities in accordance with the requirements of the Director of Public Works and that use of private water wells may continue as long as Public Works standards are met.

11. That all parking and driveway areas shall be improved in accordance with City standards, including the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

12. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or as determined by the Director of Planning and Community Development.

13. That prior to the issuance of a building permit for any development, the developer shall pay to the City of Modesto the cost of planting 19 street trees at the prevailing rate.

14. That two freestanding identification signs shall be permitted, one each on the Tully Road and Standiford Avenue frontages, to identify the 4.49 net acre C-1 use portion of the P-D Zone. Said freestanding signs shall not exceed 8 feet in height and 25 square feet in total sign area. All other signs in the 4.49 net acre P-D and 5.76 net acre P-D portions of the site shall comply with the sign regulations of the H-1 Zone.

15. That the applicant shall install four fire hydrants and the pipeline system therefor in accordance with the requirements and to the specifications of the Fire Chief. Said hydrants shall be installed and operable prior to occupancy of any structures completed after the effective date of this P-D Zone."

16. That the serving of alcoholic beverages shall only be in conjunction with the sale of food by the Marcella Restaurant and said restaurant shall be open to the public no later than 10 p.m. Sunday through Thursday, and 11 p.m. Friday and Saturday. A separate area for the sale and consumption of alcoholic beverages shall not be established in said restaurant.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 75-980, adopted by the City Council on October 6, 1975, as amended by Resolution No. 78-806, adopted by the Council on August 7, 1978, shall remain in full force and effect.

BE IT FURTHER RESOLVED by the Council that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed amendment to Planned Development Zone, P-D(133).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1204

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (248).

WHEREAS, a verified application for an amendment to Section 21-3-9 of the Zoning Map was filed by Tierra Development on August 8, 1979, to reclassify from Low Density Residential Zone, R-1, Planned-Development Zone, P-D, the following described property:

All that portion of the North half of the East half of Lot 10 of Rice Colony, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on February 19, 1904, in Volume 1 of Maps, Page 54, and also being situated in Section 21, Township 3 South Range 9 East, Mount Diablo Base and Meridian and described as follows:

Parcel A

BEGINNING at the Southwest corner of the North half of the East half of said Lot 10, thence North and along the West line of said North half of the East half of said Lot 10, a distance of 192.52 feet, more or less, to the center of a private ditch, thence East and along the center of said private ditch, a distance of 180 feet to the Northeast corner of the land conveyed to Antonino Mignano and Catherine G. Mignano by deed recorded October 17, 1969, in Volume 2298 of Official Records, Page 105 and the true point of beginning of this description; thence continue East and along the center of said private ditch a distance of 126.30 feet to the Northeast corner of the land conveyed to E. E. McCracken and Martha J. McCracken, by deed recorded January 27, 1936, in Volume 579 of Official Records, Page 473, thence South and parallel to the West line of the North half of the East half of said Lot 10, a distance of 192.52 feet more or less, to a point on the South line of said North half of the East half of said Lot 10, thence West and along the South line of said North half of the East half of said Lot 10, a distance of 126.30 feet, thence North and parallel to the West line of said North half of the East half of said Lot 10, a distance of 192.52 feet more or less to the true point of beginning of this description.

Parcel B

Commencing at the Northeast corner of said North half of the East half of said Lot 10, said corner being in the centerline of County Road, (Coffee Road); running thence West along the North line of the North half of the East half of said Lot 10, a distance of 559.60 feet to the Northwest corner of said North half of the East half of said Lot 10; thence South along the West line of said North half of East half of said Lot 10, a distance of 138.50 feet to the center of a private ditch; thence East along said private ditch, a distance of 306.30 feet to an iron pipe set on the West line of land conveyed to Barney Webster and Hazel Webster, his wife, as Joint Tenants, by Deed dated January 30, 1933, and recorded February 2, 1933, as Instrument No. 1062, Stanislaus County Records; thence North along the West line of said land so conveyed to Webster, a distance of 19.33 feet to an iron pipe set at Northwest corner of said land of Webster; thence East along the North line of land so conveyed to Webster, a distance of 365 feet to the centerline of County Road (Coffee Road); thence North along the centerline of said County Road, a distance of 122.70 feet to the point of beginning.

WHEREAS, after public hearing held on September 4 and October 1, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The number of units is within the maximum allowed in an R-1 area via P-D zoning.

2. The P-D zone and conditions of approval insure a degree of compatibility with contiguous properties.

WHEREAS, after a public hearing held on November 13, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Tierra Development for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1895-C.S. on the 13th day of November, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned-Development Zone, P-D (248).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (248), is hereby approved in accordance with the plan titled "Tierra Development Company, Inc.," _____, as amended in red on its face, stamped approved by the Planning Commission on October 1, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall conform to the above referred to plan which is on file in the office of the Director of Planning and Community Development.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to an approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed as shown on the plot plan.

3. Prior to occupancy of the premises, a six and eight-foot high solid decorative masonry wall shall be constructed along the west, north, and east boundaries of the property as shown on the plot plan.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate sufficient right-of-way to complete Fairmont Avenue to a collector street standard as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall improve Fairmont Avenue to collector street standards as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. Prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the Director of Public Works for approval. All public improvements shall be constructed in accordance with the approved plans.

8. Prior to the issuance of a building permit, if the required public street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the Director of Public Works, shall be filed with the City Clerk to guarantee installation of public improvements prior to occupancy.

9. All private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

10. Prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

11. The development shall be connected to public water and sewer facilities as required by the Director of Public Works.

12. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

13. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

14. Prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

15. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

16. The applicant shall install one fire hydrant and the pipeline system therefore in accordance with the requirements of the Fire Chief. The hydrant shall be installed and operable prior to construction of any structures.

17. All utilities and TV facilities shall be underground. No antennas shall be permitted.

18. All signs shall comply with the sign requirements of the R-1 Zone.

19. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (248).

That the entire construction program be accomplished in one phase, construction to begin on or before January 1, 1981, and completion to be not later than January 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (248) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By E L Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1205

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (TIERRA DEVELOPMENT)

WHEREAS, on November 13, 1979, the City Council introduced Ordinance No. 1895 - C. S. giving approval to a project relating to an amendment to Section 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(248), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(248).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1206

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ROBERT L. CRISP, M.A.I. FOR THE APPRAISAL OF SEVEN PROPERTIES NEEDED FOR THE WEST TRUNK SEWER PROJECT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Robert L. Crisp, M.A.I.

for the appraisal of seven properties needed for the West Trunk Sewer project

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1207

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOHN A. PAOLUCCIO, AN INDIVIDUAL, dba JOHN PAOLUCCIO CONSULTING ENGINEERS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and John A. Paoluccio, an individual, dba John Paoluccio Consulting Engineers **for** mechanical engineering services to the City for the heating and air conditioning system for the McHenry Museum **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November, **19** 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1208

A RESOLUTION APPROVING THE REQUEST OF DOW HAMMOND COMPANY FOR REFUND FOR OVERPAYMENT OF BUSINESS IMPROVEMENT AREA TAX

BE IT RESOLVED by the Council of the City of Modesto that the request of Dow Hammond Company for refund of $871.21 for overpayment of their business improvement area tax for fiscal year 1978-79 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1209

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON AMENDMENT TO THE UNCLASSIFIED USE PERMIT FOR DOCTORS HOSPITAL

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** an amendment to the Unclassified Use Permit for Doctor's Hospital for a mobile full body scanner and paring pad.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1210

A RESOLUTION SETTING TIME AND PLACE FOR HEARING TO REVIEW GARBAGE SERVICE FEES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 4, 1979 **, at** 4:00 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** annual review of garbage service fees.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November**, 19**79**, by Councilmember** Kullijian**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1211

A RESOLUTION APPROVING THE FINAL MAP OF THE HOLLANDIA VILLAS SUBDIVISION OF THE CITY OF MODESTO.

WHEREAS, GRANT CONSTRUCTION COMPANY, INC., a California corporation,

is (~~are~~) possessed of a tract of land situate in the City of Modesto, County of Stanislaus, consisting of 36.960 acres, known as the Hollandia Villas Subdivision, and

WHEREAS, a tentative map of said tract was approved by the Planning Commission of the City of Modesto on the 5th day of July, 1979, and

WHEREAS, the Secretary of the Planning Commission of the City of Modesto has certified that the final map of said tract substantially conforms to the approved tentative map, and

WHEREAS, the City Engineer of the City of Modesto has certified that the final map of said Hollandia Villas Subdivision meets all of the provisions of the California Subdivision Map Act and the provisions of the Modesto Municipal Code relating to subdivisions, and that the map is technically correct,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that said final map be approved; that the streets, alleys and

easements as shown thereon within the boundaries of said tract be accepted on behalf of the public for public use; and that the City Clerk be authorized to certify the map of said tract on behalf of the City of Modesto after the fees and deposits required by the Modesto Municipal Code in amounts determined by the City Engineer have been paid, and subdividers have furnished securities, as set forth in Section 4-4.605 of the Modesto Municipal Code, which shall secure the obligations set forth in Section 66499.3 of the Government Code of the State of California. Said securities shall be in forms acceptable to the City Attorney and in the amounts required by the Agreement hereinafter referred to.

BE IT FURTHER RESOLVED that the City Manager and the City Clerk be authorized to execute and attest, respectively, an agreement with subdividers as required by Section 4-4.604 (c) of the Modesto Municipal Code.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th day of November, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Council-

member Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1212

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $13,000 FROM GENERAL RESERVE FOR TWO REPLACEMENT VEHICLES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	P/W Service General Reserve (60 800 512)	$13,000
TO:	P/W Service - light utility pickup	$6,000
	P/W Service - patrol car	7,000

To cover the replacement cost of 2 vehicles damaged beyond repair.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 13th **day of** November, 19 79, **by Councilmember** Kullijian, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1213

A RESOLUTION ACCEPTING THE CONSTRUCTION OF ARISTOCRAT INTERIORS' CONTRACT FOR THE CARPETING AT MUNI GOLF COURSE CLUBHOUSE AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the installation of carpeting at Muni Golf Course Clubhouse has been completed by Aristocrat Interiors'

in accordance with the contract agreement dated September 4, 1979.

NOW, THEREFORE, BE IT RESOLVED that the installation of carpeting at Muni Golf Course Clubhouse be accepted from said contractor, Aristocrat Interiors';

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $5,428.29 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1214

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN BLOCK 3203

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Block 3203 has been completed by Anderson Pipeline

in accordance with the contract agreement dated September 11, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Block 3203 be accepted from said contractor, Anderson Pipeline;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $7,287.50 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1215

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INSTALLATION OF PLAY APPARATUS IN SYLVAN NEIGHBORHOOD PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the installation of play apparatus in Sylvan Neighborhood Park **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on December 11, 1979, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** November, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1216

A RESOLUTION AMENDING SECTION 1 OF RESOLUTION NO. 79-24 ENTITLED "A RESOLUTION APPROVING AN AMENDED DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, PD(73). (MEMORIAL HOSPITAL.)"

WHEREAS, the City Council, by Resolution No. 79-24 adopted on January 9, 1979, approved a revised development plan for PD(73) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to P-D(73) was filed by Memorial Hospital on September 5, 1979, to permit 13 new signs, and

WHEREAS, City Council Resolution No. 79-24 referred to above specifies that all signs shall comply with the H-1 Zone sign standards except for the existing monument sign on Coffee Road, and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 1, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-254 found and determined as follows:

1. That 8 of the 13 signs comply with the H-1 standards.

2. That the freestanding signs numbered 7, 8, 12 and 13 on the plot plan, while not in conformance with the recommended H-1 standards, are necessary for the proper identification of areas within the hospital grounds.

3. That the 72-square foot, 20-foot high freestanding sign proposed for the Briggsmore frontage is not necessary for adequate identification of the hospital and should be lowered to a maximum of 10 feet in height, 72 feet square, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, on November 20, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to P-D(73) to permit additional and larger hospital signing as outlined above is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-254 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 1 of Modesto City Council Resolution No. 79-24, entitled "A Resolution Approving an Amended Development Plan for Planned Development Zone, P-D(73). (Memorial Hospital)" is hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. A revised development plan for Planned-Development Zone, P-D(73) is hereby approved in accordance with the plan titled "Future Development Plan 1979-89 amended P-D(73)", as amended in red on its face, stamped approved by the Planning Commission on November 21, 1978, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above.

2. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plans. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the easterly property line.

3. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

4. That the applicant shall install 4 additional fire hydrants and the pipeline system therefor in accordance with the requirements to the specifications of the Fire Chief. Those hydrants serving the mental health facility and the convalescent hospital may be constructed in conjunction with the building of these two facilities.

5. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

6. That all new signing conform to the plans titled "Memorial Hospital Signs", as amended in red, stamped approved by the Planning Commission on October 1, 1979, and on file in the Planning and Community Development Department. The existing monument sign at the Coffee Road entrance is also permitted. All additional signs to be constructed on the site shall comply with the requirements of the H-1 Zone.

7. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, 10-2.1808 and 10-2.1810 of the Municipal Code. All drainage facilities shall be provided in accordance with the requirements of the Director of Public Works.

8. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

9. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

10. That the helicopter landing area as indicated on the plan referred to above, shall be built to all City of Modesto, State, and Federal Aviation Agency standards and specifications.

BE IT FURTHER RESOLVED by the Council of the City of Modesto that all of the other provisions of Modesto City Council Resolution No. 70-831, adopted on August 24, 1970, as amended by Resolution No. 79-254,adopted by the Council on January 9, 1979, shall remain in full force and effect.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Lang, Muratore, Siefkin, Vice Mayor Kullijian
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	Mayor Mensinger

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1217

A RESOLUTION ACCEPTING IMPROVEMENTS IN FRANSEN ESTATES SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Donald R. and Ellen J. Zensen , subdividers of Fransen Estates Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $77,200.00 and $38,600.00 respectively to guarantee improvements in Fransen Estates Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated November 13, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Fransen Estates Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $77,200.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $38,600.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November , 1979 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1218

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(196) (CUMMINS-GOATLEY)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(196) to allow a 16-unit, 1-story apartment development on the north side of East Coolidge Avenue, west of Melrose Avenue; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-282 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(196) of the Zoning Map be set for December 11, 1979, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1219

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(148) - DAVID HANNA, J.A. SALETTA, AND INDUSTRIAL COMPLEX INVESTORS

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(148) to revise the previously approved site plan, change the mixture of permitted uses, and revise the timing for start of construction, property located at the southwest corner of Blue Gum and Carpenter Avenues; and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-276 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(148) of the Zoning Map be set for December 18, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1220

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 17-3-9 OF THE ZONING MAP - LAPATA INTERNATIONAL, LTD.

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to Planned Development Zone, P-D(250), property located on the east side of Sherwood Avenue, south of Bowen Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-275 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 17-3-9 of the Zoning Map be set for December 18, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

County of Stanislaus, State of California: That portion of Lot 5 of the FRESNO TRACT, as per map filed March 14, 1903, in Volume 1 of Maps, Page 76, and as said Lot is shown on the Map of Resurvey of Lot 5 of FRESNO TRACT, filed on May 19, 1941, in Volume 3 of Surveys, Page 26, described as follows, to-wit:

COMMENCING at the Northwest corner of said Lot 5 of FRESNO TRACT and running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 143.46 feet to the point of beginning of this description; thence running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 123.47 feet to a point; thence North 89° 27' East 398.03 feet to a point in the centerline of irrigation ditch, thence along the centerline of said irrigation ditch, North 1° 28' West, 117.53 feet to a point; thence running in a Westerly direction in a straight line from said last named point to the point of beginning.

SCHEDULE "A"

LAPATA INTERNATIONAL LTD.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1221

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 31-3-9 OF THE ZONING MAP - CUMMINS AND GOATLEY

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 31-3-9 of the Zoning Map to rezone from Rural-Agricultural Zone, R-A, to Planned Development Zone, P-D(251), property located on the west side of Emerald Avenue south of Maze to allow a 7-unit, one-story residential development, the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-283 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 31-3-9 of the Zoning Map be set for December 18, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 19 79, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in the Northeast quarter of the Northwest quarter of Section 31, Township 3 South, Range 9 East, M.D. B. & M., City of Modesto, State of California, being a portion of Lot 25 of Maze Ranch Subdivision, as per map filed March 19, 1909, in Book 4 of Maps, page 18 Stanislaus County Records, described as follows:

Commencing at the Northwest corner of Lot 7 in Block 4130 of Willow Estates Unit No. 1, filed May 15, 1962, in Book 20 of Maps, at Page 13; thence North 89° 50' 04" East, 107.88 feet to the Northeast corner of said Lot 7; thence North 89° 32' 50" East, 109.74 feet to the Northeast corner of Lot 4 in Block 4130 of said subdivision; thence North 3° 04' 50" West, 172.79 feet to a point; thence North 0° 11' 30" West, 59.12 feet to a point; thence North 89° 44' 45" West, 180.00 feet to the Northeast corner of Lot 11 in Block 4130 of said subdivision; thence South 16° 19' 48" West, 88.79 feet to the Southeast corner of said Lot 11; thence along a curve concave to the Southwest with a central angle of 118° 11' 59", a radius of 50 feet and an arc length of 103.15 feet to a point; thence along a curve concave to the Southeast with a central angle of 42° 49' 52", a radius of 50 feet and an arc length of 37.38 feet to a point; thence along a curve concave to the Southeast with a central angle of 1° 51' 51", a radius of 975 feet and an arc length of 31.72 feet to the Northwest corner of said Lot 7, being the point of commencement.

Containing 1.04 acre more or less.

SCHEDULE "A"

CUMMINS AND GOATLEY

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1222

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 21-3-9 OF THE ZONING MAP - GARY BRIGHT

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 21-3-9 of the Zoning Map to rezone from R-3 to P-O and from R-3 and R-A to C-M, property located on the north side of E. Coolidge, east of McHenry Avenue

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-281 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 21-3-9 of the Zoning Map be set for December 18, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November , 19 79 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-3 to P-O

All that certain real property situate in a portion of the Northwest quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, M.D.B. & M., City of Modesto, State of California, described as follows:

The East 132 feet of Lot 6 of Coolidge Colony according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on November 15, 1910 in Book 5 of Maps, at page 17, and the West 10 feet of the South half of Lot 4 of Coolidge Colony, according to the Map thereof filed in the office of the County Recorder of Stanislaus County, California, on November 15, 1910, in Book 5 of Maps, at page 17.

Containing 1.08 acres more or less.

R-A to C-M

All that certain real property situate in a portion of the Northwest quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, M.D.B. & M., City of Modesto, State of California, described as follows:

Commencing at a point established by the intersection of the centerlines of McHenry Avenue and East Coolidge Avenue; thence East along the center line of 40.00 foot wide East Coolidge Avenue 315 feet; thence North 20.00 feet to the north line of East Coolidge Avenue and the true point of beginning of this description; thence North 180.00 feet; thence East 213.60 feet; thence South 180.00 feet to the north line of East Coolidge Avenue; thence along said north line West 213.60 feet to the true point of beginning of this description.

Containing 0.88 acre more or less.

R-3 to C-M

All that certain real property situate in a portion of the Northwest quarter of the Northwest quarter of Section 21, Township 3 South, Range 9 East, M.D.B. & M., City of Modesto, State of California, described as follows:

Commencing at a point established by the intersection of the centerlines of McHenry Avenue and East Coolidge Avenue; thence East along the centerline of 40.00 foot wide East Coolidge Avenue 464.00 feet to the true point of beginning of this description; thence North 20.00 feet to the north line of said East Coolidge Avenue; thence East 64.00 feet; thence South 20.00 feet to the centerline of East Coolidge Avenue; thence West 64.60 feet to the true point of beginning of this description.

Containing 0.03 acre more or less.

SCHEDULE "A"

GARY BRIGHT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1223

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 7-3-9 OF THE ZONING MAP - SUTCO CONSTRUCTION

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 7-3-9 of the Zoning Map to rezone from R-2 to P-D, property located on the east side of Shawnee Drive north of Standiford to allow a 34-unit residential condominium

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-279 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section of the Zoning Map be set for December 11, 1979 at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that certain real property situate in a portion of the Southeast quarter of the Northwest quarter of Section 7, Township 3 South, Range 9 East, M.D.B. & M., City of Modesto, State of California, described as follows:

All of Lot 19, Block 13351 of Carver Village, as shown on map of same filed for record in Volume 25 of Maps at Page 17, Stanislaus County Records.

Also including the east half of 60.0 foot wide Shawnee Drive adjacent to the above described property.

Containing 2.6 acres more or less.

SCHEDULE "A"

SUTCO CONSTRUCTION

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1224

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-3-9 OF THE ZONING MAP (COUNCIL INITIATED)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 5, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-3-9 of the Zoning Map to rezone from R-3 to R-2 property located on the east side of Coffee Road, north of Sylvan Meadows Drive

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-273 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section of the Zoning Map be set for December 18, 1979 at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

All that portion of Section 10, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at the Northwest corner of Lot 1 in Block 12575 in Sylvan Meadows East No. 1 as shown on the subdivision map filed July 9, 1974, in Volume 25 of maps at Page 8 in the Stanislaus County records, also being the point of beginning; thence North 89° 23' 27" East 376 feet along the North line of Lots 1, 2, 3, and 4 in Block 12575 in said subdivision; thence North 0° 48' West 259.00 feet along the West line of Lots 5 and 8 in said Block 12575; thence South 89° 23' 27" West 426.00 feet to the West line of Section 10; thence South 0° 48' East 259.00 feet along the said section line to the point of intersection with Westerly extension of the North line of Lot 1 in said Block 12575; thence North 89° 23' 27" East 50.00 feet along said extension to the point of beginning.

SCHEDULE "A"

COUNCIL INITIATED

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1225

A RESOLUTION REVISING THE SPECIFICATIONS FOR THE CLASSIFICATION OF PUBLIC SERVICES TRAINEE PROVIDED UNDER THE POSITION CLASSIFICATION PLAN OF THE CITY OF MODESTO.

WHEREAS, revisions to the job specifications for the classification of Public Services Trainee in the City of Modesto's Position Classification Plan have been recommended by the City Manager, and

WHEREAS, said revisions have been recommended for the following reasons:

1. An entry-level person will be allowed to perform unskilled maintenance tasks and duties under close supervision and to be in training for more responsible maintenance-related classifications.

2. After a year of experience, the able Public Services Trainee would be able to take tests for and obtain a place on the eligible lists for Electrical Trainee, Equipment Service Worker, Evidence and Property Specialist, Janitor, Maintenance Worker, Storeskeeper I or Wastewater Treatment Plant Attendant.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the job specifications for the position Public Services Trainee be revised as shown on the attached Exhibit "A" which by this reference is made a part hereof as though set forth in full herein.

BE IT FURTHER RESOLVED that the specifications for Public Services Trainee as shown on Exhibit "A" are hereby approved and made a part of the Position Classification Plan of the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember

Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

PUBLIC SERVICES TRAINEE

DEFINITION

Under close supervision, to perform various types of maintenance tasks and duties, and to be in training for more responsible maintenance-related classifications.

DISTINGUISHING CHARACTERISTICS

A person employed in this classification is not required to have experience or knowledge relating to care and maintenance of municipal buildings, facilities and equipment. Assignments will include a variety of tasks and duties from the level of unskilled and semi-skilled maintenance and repair work. With training and exposure, the incumbent will be eligible to compete for (but will not be limited to): Electrical Trainee, Equipment Service Worker, Evidence and Property Specialist, Janitor, Maintenance Worker, Storeskeeper I, and Wastewater Treatment Plant Attendant.

EXAMPLES OF DUTIES

Sweeps, mops, scrubs, oils floors; vacuums rugs and carpets; empties and cleans waste and litter receptacles; assists in moving and arranging furniture and equipment; moves and rotates stock to insure usage of old material; operates a City vehicle to deliver and obtain City property and/or supplies; issues bicycle licenses; does washing, oiling, greasing and adjusting to automotive and power equipment; keeps automobiles, trucks and other equipment supplied with fuel and water; checks equipment such as generators, chlorinators, air and gas circulators, screens, and grinders for proper operation; cleans plugged lines; washes, waxes and vacuums City vehicles; sweeps and removes debris from corners and street areas not reached by motor sweepers; mows and trims lawns, bushes and hedges; pulls weeds; waters lawns, bushes and hedges; paints fire hydrants and performs periodic maintenance; under close supervision, learns semi-skilled repair tasks in the assigned functional area.

SPECIAL REQUIREMENTS

Possession of an appropriate operator's license issued by the California Department of Motor Vehicles within one month after employment.

EMPLOYMENT STANDARDS

Knowledge of:

- Uses and purposes of basic tools used in repair and maintenance work;
- Basic mathematics;
- Safety precautions and practices necessary with tools and around mechanical equipment.

Ability to:

- Understand oral and written directions;
- Clean and care for an assigned area and equipment;
- Work irregular shifts or hours;
- Perform routine maintenance work;
- Perform manual labor including lifting and carrying boxes at least thirty (30) pounds weight;
- Learn safety practices and procedures;
- Learn methods, rules and procedures for more responsible semi-skilled and skilled tasks and duties;
- Establish and maintain cooperative relationships with those contacted during the course of work.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1226

A RESOLUTION AMENDING EXHIBIT "F" OF RESOLUTION NO. 79-637 ENTITLED "A RESOLUTION ESTABLISHING SALARY SCHEDULES AND FIXING COMPENSATION FOR POSITIONS IN THE CITY SERVICE".

BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. AMENDMENT TO RESOLUTION NO. 79-637. Exhibit "F" entitled "City of Modesto Alphabetical Listing Of Classifications In City Service 1979-80" attached to Resolution No. 79-637, is hereby amended as shown on the amended Exhibit "F" entitled "City of Modesto Alphabetical Listing of Classifications in City Service 1979-80," which is attached hereto and made a part hereof as though set forth in full herein. Said amended Exhibit "F" deletes the classification of Public Services Trainee from Range 114.5 and adds the classification of Public Services Trainee to Range 106.5.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

CITY OF MODESTO
ALPHABETICAL LISTING OF CLASSIFICATIONS IN CITY SERVICE
1979-80

(Effective 7-3-79, Amended 9-11-79, 11-6-79, 11-20-79)

Range No.	Title of Classification
111.5	Account Clerk I
114.5	Account Clerk II
116.5	Account Clerk III
119.5	Account Clerk IV
426.0	Accountant
433.0	Accounting Administrator
426.0	Administrative Analyst
426.5	Administrative Assistant (Parking & Traffic)
429.0	Airport Manager
424.5	Airport Maintenance Supervisor
116.5	Animal Control Officer
112.0	Animal Control Trainee
124.5	Arborist
122.0	Assistant Building Inspector
[illegible]	Assistant Chief of Police
[illegible]	Assistant City Engineer
426.5	Assistant City Clerk
429.0	Assistant Civil Engineer
[illegible]	Assistant Director of Public Works
426.0	Assistant Chief Electrician
122.5	Assistant Electrician
426.0	Assistant Planner
426.0	Assistant Property Agent
122.0	Assistant Public Services Inspector
426.0	Assistant Shop Supervisor
122.0	Assistant Zoning Inspector
432.0	Associate Civil Engineer
429.0	Associate Planner
426.0	Budget Accountant
125.0	Building Inspector
424.5	Building Maintenance Supervisor
120.5	Building Maintenance Worker
122.5	Building Maintenance Leadworker

Range No.	Title of Classification
433.0	Chief Building Official
429.0	Chief Electrician
N/A	Chief of Police
426.5	Chief of Survey Party
N/A	City Attorney
N/A	City Clerk and Auditor
N/A	City Manager
117.5	Civil Engineering Technician I
120.5	Civil Engineering Technician II
123.5	Civil Engineering Technician III
126.5	Civil Engineering Technician IV
124.0	Coach Mechanic
120.5	Community Service Officer
119.5	Computer Operator
125.0	Construction Inspector
[illegible]	Crime Analyst
426.5	Data Processing Supervisor
427.0	Deputy City Attorney I
[illegible]	Deputy City Attorney II
312.0	Detective
N/A	Director of Finance
N/A	Director of Management Services
N/A	Director of Parking and Traffic
N/A	Director of Parks and Recreation
N/A	Director of Planning and Community Development
N/A	Director of Public Works and City Engineer
120.5	Electrical Technician
118.5	Electrical Trainee
124.5	Electrician
126.0	Engineering Computer Programmer
122.0	Equipment Mechanic
120.5	Equipment Operator
119.0	Equipment Service Worker
118.5	Evidence and Property Specialist

Range No.	Title of Classification
120.5	Financial Specialist
529.0	Fire Battalion Chief
N/A	Fire Chief
211.0	Fire Engineer
210.0	Fire Fighter
213.0	Fire Lieutenant
112.0	Fire Prevention Inspector Trainee
120.5	Fire Prevention Technician
122.5	Heavy Equipment Operator
120.5	Housing Conservationist
432.0	Housing Program Officer
125.0	Industrial Waste Inspector
116.5	Janitor
123.0	Junior Accountant
126.0	Junior Civil Engineer
123.0	Junior Planner
114.5	Keypunch Operator
122.5	Laboratory Technician
116.5	Laborer (Unclassified)
426.0	Landscape Designer
125.0	Lead Coach Mechanic
123.0	Lead Equipment Mechanic
416.5	Legal Secretary I
418.5	Legal Secretary II
116.5	Maintenance Worker
429.0	Management Assistant
429.0	Management Assistant (Risk Manager)
113.5	Microfilm and Graphics Technician I
115.5	Microfilm and Graphics Technician II
120.5	Motor Sweeper Operator
424.0	Museum Supervisor
122.5	Nursery Propagator
113.5	Office Services Clerk
122.5	Office Services Supervisor
106.5	Office Aide
122.5	Parking and Traffic Leadworker
120.5	Parking and Traffic Maintenance Worker
122.5	Parks Maintenance Leadworker
424.5	Parks Maintenance Supervisor I
426.5	Parks Maintenance Supervisor II
118.5	Parks Maintenance Worker I
120.5	Parks Maintenance Worker II
433.0	Parks and Recreation Superintendent
413.5	Personnel Clerk
432.0	Personnel Manager
420.5	Personnel Technician
426.0	Plan Review Engineer I
429.0	Plan Review Engineer II
117.5	Planning Technician I
120.5	Planning Technician II
[illegible]	Planning Technician III
[illegible]	Police Captain
630.0	Police Lieutenant
310.0	Police Officer
425.0	Police Records Supervisor
628.0	Police Sergeant
115.5	Printing Services Operator I
118.5	Printing Services Operator II
123.0	Programmer
426.0	Programmer Analyst
430.0	Property Agent
425.0	Public Services Inspector
106.5	Public Services Trainee
122.5	Public Works Leadworker

Range No.	Title of Classification
118.5	Public Works Maintenance Worker I
120.5	Public Works Maintenance Worker II
424.5	Public Works Supervisor I
426.5	Public Works Supervisor II
120.5	Pump Maintenance Worker
124.0	Purchasing Assistant
429.0	Purchasing Officer
426.0	Recreation Supervisor
117.5	Recreation Program Supervisor
125.0	Rehabilitation Specialist
117.5	Risk Management Assistant I
120.5	Risk Management Assistant II
116.5	Secretary I
418.5	Secretary II
420.5	Secretary to the City Attorney
421.5	Secretary to the City Manager
426.5	Senior Building Inspector
418.5	Senior Personnel Clerk
428.5	Senior Public Works Supervisor
432.0	Senior Planner
428.0	Senior Rehabilitation Specialist
428.5	Social Services Coordinator
429.0	Shop Supervisor
114.5	Stenographer Clerk
118.5	Storeskeeper I
120.5	Storeskeeper II
120.5	Street Trees Maintenance Worker II
428.0	Supervising Building Inspector
113.5	Telephone Operator-Receptionist
429.0	Transit Manager
120.5	Tree Trimmer I
122.5	Tree Trimmer II
111.5	Typist Clerk I
113.5	Typist Clerk II
424.5	Warehouse Supervisor
118.5	Wastewater Treatment Plant Attendant
122.5	Wastewater Treatment Plant Mechanic
120.5	Wastewater Treatment Plant Operator I
122.5	Wastewater Treatment Plant Operator II
426.5	Wastewater Treatment Plant Supervisor
432.0	Water Quality Control Superintendent
118.5	Word Processing Supervisor
114.5	Word Processing Technician I
116.5	Word Processing Technician II
113.5	Word Processing Trainee
428.5	Zoning Inspector

Totals:

11	City Manager, Department Heads
166	Other
177	

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1227

A RESOLUTION ACCEPTING IMPROVEMENTS IN VINTAGE GROVE SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, West-Sun Development Co. Ltd. , subdividers of Vintage Grove Subdivision , have filed Subdivision bonds for faithful performance and labor and materials in the amount of $304.500.00 and $152,250.00 respectively to guarantee improvements in Vintage Grove Subd. ; and

WHEREAS, the Director of Public Works in a memorandum dated November 8, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Vintage Grove Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision bond for faithful performance in the amount of $304,500.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision bond for labor and materials in the amount of $152,250.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November , 1979 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1228

A RESOLUTION GRANTING AN ENCROACHMENT PERMIT TO ELMO WILSON AND ALLEN GRANT OVER THE SIDEWALK AREA FOR A PROPOSED ADDITION TO THE OLD SEARS ROEBUCK BUILDING LOCATED AT THE NORTH CORNER OF 10TH AND K STREETS.

WHEREAS, Elmo Wilson and Allen Grant desire to construct a roofed area with 14 supporting columns and foundations as an addition to the old Sears Roebuck building located at the north corner of 10th and K Streets in the City of Modesto, which construction will be an addition to said building and will extend over the sidewalk area, and

WHEREAS, City Standards require 10' wide sidewalks in commercial zones, and the proposed construction will leave an unobstructed width of 9' 9" of sidewalk at the above-mentioned location, and

WHEREAS, Section 7-1.104 of the Modesto Municipal Code authorizes the granting of permits for encroachments in the sidewalk area of streets, subject to conditions established by the Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that an encroachment permit is hereby granted to Elmo Wilson and Allen Grant over the sidewalk area for a roofed area with 14 supporting columns and foundations as an addition to the old Sears Roebuck building located at the north corner of 10th and K Streets, in the City of Modesto, subject to the following conditions:

1. Permittees shall obtain a building permit for the encroachment.

2. The encroachment shall comply with the strength, durability, safety, exiting and fire resistance requirements of the Building Code of the City of Modesto.

3. There shall be no display of signs or merchandise on the columns, or on or under the encroachment except as specifically authorized by the Modesto Municipal Code.

4. The permittees shall construct, install and maintain the encroachment in such a manner that it shall not become a nuisance or be hazardous to the public using the sidewalk area and the adjacent streets. In the event the encroachment is not so maintained, the City may repair or remove the encroachment and place a lien on the property to cover the cost of repair or removal.

5. The permittees shall construct, install and maintain the encroachment to the satisfaction of the Director of Public Works.

6. Foundations for the encroachment shall not interfere with underground public utilities.

7. The roof of the encroachment shall have not less than thirty (30") inches horizontal clearance from the existing curb return.

8. The columns of the encroachment shall be constructed in such a manner so as to leave an unobstructed sidewalk width of at least 9' 9".

9. The permittees agree to comply with all laws, ordinances, and regulations of the City of Modesto, County of Stanislaus, and State of California that relate to or affect the rights granted by this permit.

10. The permittees agree to indemnify and hold the City of Modesto and its officers, agents and employees free and harmless from any and all damages, costs, charges or liability of any kind or character, howsoever the same may be caused, that may arise out of, relate to, or in any way be connected with the exercise of the rights granted the permittees by this permit.

11. The permittees agree to defend, at their own cost and expense, any and all law suits that may arise out of or be connected in any way with the exercise of the rights granted by this permit.

12. Permittees agree to provide and keep in force during the term of this encroachment permit a policy of public liability insurance covering the liability assumed by this permit, with combined single limits of One Million Dollars ($1,000,000) per occurrence for bodily injury, sickness and disease, including death resulting therefrom, and for claims for property damage.

    The policy of insurance so provided shall contain a contractual liability endorsement covering the liability assumed by permittees under the terms of this permit, and shall contain a provision that such policy may not be cancelled except after twenty (20) days' notice in writing, to be given to the City Clerk. A certificate evidencing such insurance shall be filed with the City Clerk.

13. This permit shall be binding on all successors, assigns and heirs of the permittees.

14. This permit is revocable at any time by the City Council. Upon revocation of this permit, permittees shall remove the roofed areas and the 14 supporting columns and foundations constructed as an addition to the old Sears Roebuck building located at the north corner of 10th and K Streets within thirty (30) days after the date of mailing of notice of said revocation to permittees at permittees' last known address.

BE IT FURTHER RESOLVED that permittees shall accept this permit in writing, including all terms and conditions hereof, in a form acceptable to the City, and no rights or privileges shall be granted hereby until said written acceptance and the insurance certificate required hereby has been received by the City Clerk.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: Kullijian

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1229

A RESOLUTION APPROVING THE REQUEST OF HOUSEHOLD FINANCE CORPORATION FOR REFUND FOR OVERPAYMENT OF BUSINESS LICENSE AND BUSINESS IMPROVEMENT AREA TAXES

BE IT RESOLVED by the Council of the City of Modesto that the request of Household Finance Corporation for refund of $11,476.24 for overpayment of business license and business improvement area taxes during the quarters ending in March and June, 1979, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1230

A RESOLUTION OF THE CITY OF MODESTO IN SUPPORT OF THE SB 90 CLAIM OF THE COUNTY OF LOS ANGELES FORESTER AND FIRE WARDEN AND CONSOLIDATED FIRE PROTECTION DISTRICTS FOR REIMBURSEMENT FOR FIRE CLOTHING AND EQUIPMENT REQUIREMENTS FORMULATED BY THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

WHEREAS, the Occupational Safety and Health Standards Board of the State of California did on or about April 27, 1978, adopt certain requirements for clothing and equipment for structural fire fighters which are set forth at Title 8 California Administrative Code Sections 3401 - 3409; and

WHEREAS, prior to the aforementioned requirements no specific regulations existed which were applicable to clothing and equipment of structural fire fighters employed by local government; and

WHEREAS, the aforementioned requirements constitute a cost mandated by the State upon the City of Modesto as defined in Revenue and Taxation Code Section 2207; and

WHEREAS, the County of Los Angeles Forester and Fire Warden and Consolidated Fire Protection Districts have filed a claim for themselves, and all similarly situated governmental entities, before the State Board of Control for costs mandated by the aforementioned State regulations, which have not been reimbursed pursuant to Revenue and Taxation Code, Section 2231.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Modesto declares its unanimous support for the aforementioned claim as a State mandated cost caused by an executive order issued by the Occupational Safety and Health Standards Board which should be totally reimbursed by the State of California. The City Clerk is directed to deliver a copy of this resolution to the Executive Secretary of the State Board of Control upon execution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle

NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1231

A RESOLUTION SETTING TIME AND PLACE FOR HEARING ON STAFF REPORT REGARDING PATIO HOUSE AND CONDOMINIUM DEVELOPMENT IN THE CITY OF MODESTO

BE IT HEREBY RESOLVED by the Council of the City of Modesto that December 11, 1979 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** the staff report regarding patio house and condominium development in the City of Modesto.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** November**, 19**79**, by Councilmember** Siefkin**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1232

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $1,885.00 FROM GENERAL RESERVE FOR REPAIR OF GOLF CARTS

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 101)	$1,885.00
TO:	Dryden Golf Course (222 380 101)	$1,885.00

This transfer is necessary to pay for body repairs on 18 city-owned golf carts. This amount will be offset by the Golf Pro according to his contract.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** November, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1233

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $2,000 TO COVER PURCHASE OF SURPLUS EQUIPMENT FROM UNITED AIRLINES

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	Airport Reserve (60 800 230)	$2,000.00
TO:	Airport Loading Equipment (5495 460 230)	$2,000.00

This transfer is needed to cover purchase of cargo lift vehicle and passenger loading stairs from United Airlines, to comply with the Rehabilitation Act of 1973 for operation of the Modesto Airport.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th **day of** November, 19 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1234

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN A GRANT FUNDING AGREEMENT WITH THE STATE OF CALIFORNIA FOR FUNDING TO OPERATE A CAREER CRIMINAL APPREHENSION PROGRAM BY THE MODESTO POLICE DEPARTMENT.

WHEREAS, the City of Modesto desires to undertake a certain project designated Career Criminal Apprehension Program to be funded in part from funds made available through the Omnibus Crime Control and Safe Streets Act of 1968, PL90-351, as amended, (hereafter referred to as the Crime Control Act) administered by the Office of Criminal Justice Planning (hereafter referred to as OCJP),

NOW, THEREFORE, BE IT RESOLVED that the City Manager of the City of Modesto is authorized, on its behalf to submit the attached Application for Grant for Law Enforcement Purposes to OCJP and is authorized to execute on behalf of the City of Modesto Police Department the attached Grant Award for law enforcement purposes including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said project (including any extension or amendment thereof) under the Crime Control Act and the rules and regulations of OCJP and the Law Enforcement Assistance Administration and that cash will be appropriated as required thereby.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant law enforcement expenditures controlled by this body.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 20th day of November, 1979, by

Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1235

A RESOLUTION ACCEPTING THE BID OF INDUSTRIAL ELECTRICAL COMPANY TO CONSTRUCT TULLY/WOODROW TRAFFIC SIGNALS

WHEREAS, Resolution No.79-1088 adopted by the Council of the City of Modesto on October 16, 1979 , approved the plans and specifications for the cohstruction of traffic signals at Tully and Woodrow and authorized the calling for bids; and

WHEREAS, the bids received for the construction of traffic signals at Tully and Woodrow were opened at 2:00 p.m., November 16, 1979 , and later tabulated by the Director of Parking and Traffic / for the consideration of the Council; and

WHEREAS, the Director of Parking and Traffic / has recommended that the bid of Industrial Electrical Company in the amount of $27,444.00 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Industrial Electrical Company in the amount of $ 27,444.00 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at an adjourned / regular meeting of the Council of the City of Modesto held on the 29th day of November , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1236

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN PINE TREE LANE AND MUGHO PINE DRIVE

WHEREAS, Resolution No.79-1137 adopted by the Council of the City of Modesto on November 6, 1979 , approved the plans and specifications for the construction of waterline extension in Pine Tree Lane and Mugho Pine Drive and authorized the calling for bids; and

WHEREAS, the bids received for the construction of waterline extension in Pine Tree Lane and Mugho Pine Drive were opened at 11:15 a.m. on November 20, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $40,689.50 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $40,689.50 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 29th day of November , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1237

A RESOLUTION ACCEPTING THE BID OF CDR CONSTRUCTION AND DEVELOPMENT FOR THE RENOVATION OF PUMP STATION NO. 6

WHEREAS, Resolution No.79-1141, adopted by the Council of the City of Modesto on November 6, 1979 , approved the plans and specifications for the renovation of Pump Station No. 6 and authorized the calling for bids; and

WHEREAS, the bids received for the renovation of Pump Station No. 6 were opened at 11:20 a.m. on November 20, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of CDR Construction and Development in the amount of $97,243 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of CDR Construction and Development in the amount of $97,243 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 29th day of November , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1238

A RESOLUTION ACCEPTING THE BID OF MAC'S BACKHOE SERVICE FOR THE CONSTRUCTION OF WATERLINE EXTENSION IN CLAUS ROAD

WHEREAS, Resolution No.79-1139 adopted by the Council of the City of Modesto on November 6, 1979 , approved the plans and specifications for the construction of waterline extension ih Claus Road and authorized the calling for bids; and

WHEREAS, the bids received for the cohstruction of waterline extension in Claus Road were opened at 11:10 a.m., November 20, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Mac's Backhoe Service in the amount of $12,450.60 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Mac's Backhoe Service in the amount of $12,450.60 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 29th day of November , 19 79, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1239

A RESOLUTION ACCEPTING THE CONSTRUCTION OF WATERLINE EXTENSION IN SISK ROAD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of waterline extension in Sisk Road has been completed by Joe Martin Pipeline, Inc. in accordance with the contract agreement dated August 7, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of waterline extension in Sisk Road be accepted from said contractor, Joe Martin Pipeline, Inc.;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $41,864.07 as provided in the contract, be authorized.

The foregoing resolution was introduced at an adjourned/regular meeting of the Council of the City of Modesto held on the 29th day of November, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1240

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND SELF-HELP ENTERPRISES

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Self-Help Enterprises for the period December 1, 1979, through November 30, 1980 be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at an adjourned/regular meeting of the Council of the City of Modesto held on the 29th day of November, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1241

A RESOLUTION SUPPORTING A COMPROMISE UNIFORM SALES TAX PLAN BETWEEN THE COUNTY OF STANISLAUS AND THE INCORPORATED CITIES OF STANISLAUS COUNTY.

WHEREAS, the County of Stanislaus and the incorporated cities of Stanislaus County adopted a Uniform Sales Tax Plan in 1957, and

WHEREAS, economic considerations have changed considerably since 1957, and

WHEREAS, the County government is now the second largest sales tax recipient in Stanislaus County, and

WHEREAS, not all cities are participants in the current uniform sales tax plan, and

WHEREAS, because of economic considerations, the smaller cities are harder pressed to provide a basic level of services to their citizens,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. That it recognizes that there are economic differences between the governmental entities.

2. That all cities are to be brought into the sales tax plan.

3. That the proposed Uniform Sales Tax Plan will maintain the ability of the cities and County to continue to receive sales, cigarette, and SB325 funding.

4. That renegotiation will be provided for in five years.

5. That the proposed concept of contribution of City Sales Tax revenue to the County be as follows:

Annual City Sales Tax Revenue	Percentage Paid to County
0 - $1,000,000	0%
$1,000,001 - $3,000,000	2.5%
$3,000,001 - and above	5%

The foregoing resolution was introduced at an adjourned regular meeting of the Council of the City of Modesto held on the 29th day of November, 1979, by Councilmember Bright, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1242

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF SPENCER C. WOODS AS A MEMBER OF THE PERSONNEL COMMISSION, EFFECTIVE DECEMBER 4, 1979

WHEREAS, Spencer C. Woods was appointed as a member of the Personnel Commission on August 7, 1978; and

WHEREAS, Spencer C. Woods has tendered his resignation as a member of the Personnel Commission, effective December 4, 1979; and

WHEREAS, Spencer C. Woods has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of Spencer C. Woods as a member of the Personnel Commission is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to Spencer C. Woods for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1243

A RESOLUTION ACCEPTING THE BID OF WILLIAM M. MINENI FOR CONSTRUCTION OF SEVENTH STREET BRIDGE TRUSS SUPPORT FOR SPAN 13

WHEREAS, Resolution No.79-1086 adopted by the Council of the City of Modesto on October 16, 1979 , approved the plans and specifications for the construction of Seventh Street Bridge truss support for Span 13 and authorized the calling for bids; and

WHEREAS, the bids received for the construction of Seventh Street Bridge truss support for Span 13 were opened at 11:00 a.m. on November 20, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of William M. Mineni in the amount of $17,100 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of William M. Mineni in the amount of $17,100 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December , 1979 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1244

A RESOLUTION ACCEPTING THE BID OF LEE WHITE PAVING FOR IMPROVEMENTS ON EL PASADO DRIVE AT PARK SITE, BLOCK 2450

WHEREAS, Resolution No. 79-1115, adopted by the Council of the City of Modesto on October 23, 1979 , approved the plans and specifications for the improvements on El Pasado Drive at park site, Block 2450 and authorized the calling for bids; and

WHEREAS, the bids received for the improvements on El Pasado Drive at park site, Block 2450 were opened at 11:05 a.m. on November 20, 1979 , and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Lee White Paving in the amount of $27,869.75 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Lee White Paving in the amount of $27,869.75 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December , 1979 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1245

A RESOLUTION ACCEPTING THE CONSTRUCTION OF SUBTRUNK SEWER IN HONEYCREEK ROAD AS COMPLETE

WHEREAS, a report has been filed by the Director of Public Works that the construction of subtrunk sewer in Honey Creek Road has been completed by Wayne Fregien Construction

in accordance with the contract agreement dated September 27, 1979.

NOW, THEREFORE, BE IT RESOLVED that the construction of subtrunk sewer in Honeycreek Road be accepted from said contractor, Wayne Fregien Construction;

that notice of completion be filed with the Recorder of Stanislaus County and that payment of amounts due in the amount of $36,368.15 as provided in the contract, be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1246

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING PAC POWER OF DIXON, CALIFORNIA, TO REPAIR DEFICIENCIES ON THE CITY'S HI-RANGER TRUCK

WHEREAS, deficiencies were noted on annual inspection of the City's hi-ranger truck including new cables, repair of basket and guards, and repair of wheel cylinders; and

WHEREAS, Pac-Power is the California authorized repair dealership for the hi-ranger.

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the repair of deficiencies on the City's hi-ranger truck is hereby waived.

BE IT FURTHER RESOLVED that repair of deficiencies on the City's hi-ranger truck by Pac Power of Dixon, California, at a total cost of $5,699.07 is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1247

A RESOLUTION APPROVING ISSUANCE OF A PURCHASE ORDER FOR INSTALLATION OF REFLECTIVE WINDOW INSULATION FILM AND FOAM WEATHER STRIPPING ON ALL EXTERIOR WINDOWS AT THE MODESTO POLICE BUILDING

WHEREAS, State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500; and

WHEREAS, the quote of Harold F. Selby dba Energy Control Company, in the amount of $4,950 is considered acceptable.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that issuance of a purchase order in the amount of $4,950 to Harold F. Selby dba Energy Control Company for installation of reflective window insulation film and foam weather stripping on all exterior windows at the Modesto Police Building, is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1248

A RESOLUTION GRANTING AN AMENDMENT TO THE UNCLASSIFIED USE PERMIT FOR DOCTOR'S HOSPITAL TO ALLOW A MOBILE FULL BODY SCANNER AND PARKING PAD.

WHEREAS, the Modesto City Council, by Resolution No. 76-939 adopted on August 9, 1976, granted an unclassified use permit to Doctor's Hospital of Modesto, Inc. to allow construction of a one and four story building expansion to the existing Doctor's Hospital complex, including an additional 53 beds and an expanded parking area on property located on the north side of W. Orangeburg Avenue, west of Florida Avenue in the City of Modesto, and

WHEREAS, the Modesto City Council, by Resolution 79-1123 adopted on October 23, 1979, amended the unclassified use permit referred to above to allow a 24-hour child care facility and for revision of the freestanding and directional hospital signing at Doctor's Hospital, and

WHEREAS, a verified application to further amend the unclassified use permit referred to above, to allow a mobile full body scanner and parking pad was filed by Doctor's Hospital on October 2, 1979, and

WHEREAS, Section 10-2.1401 of the Modesto Municipal Code classifies the proposed use as an unclassified use, and

WHEREAS, said application was set for public hearing before the Planning Commission in the Council Chambers located in the City Hall, 801 - 11th Street, in the City of Modesto on November 5, 1979, and

WHEREAS, thereafter, upon the evidence, both oral and documentary, taken and introduced at said hearing, the Planning Commission adopted Resolution No. 79-278, recommending to the Council that the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-939, as amended by Modesto City Council Resolution No. 79-1123, be further amended to allow a mobile

full body scanner and parking pad for the following reasons:

1. From a land use viewpoint, a mobile full body scanner is an appropriate accessory use to a hospital.

2. The unclassified use permit and conditions of approval assure a degree of compatibility consonant with surrounding properties, and

WHEREAS, said matter was set for public hearing before the Council of the City of Modesto in the Council Chambers located in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on December 4, 1979, and

WHEREAS, the Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration of environmental impact of the subject amendment to the unclassified use permit, as previously amended, and

WHEREAS, said hearing was held before the Council on December 4, 1979, at the above time and place, and evidence, both oral and documentary, was taken and introduced at said hearing, and the Council found and determined that the granting of an amendment to Doctor's Hospital unclassified use permit granted by Modesto City Council Resolution No. 76-939, as amended by Modesto City Council Resolution No. 79-1123, referred to above, to allow a mobile full body scanner and parking pad is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-1123 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-939, as amended by Modesto City Council Resolution No. 79-1123, be further amended to allow a mobile full body scanner and parking pad, subject to the following conditions:

1. That all development of the Mobile Full Body Scanner and Parking Pad shall conform to the plan titled "Mobile Full Body Scanner and Parking Pad", as amended in red on its face, stamped approved by the Planning Commission on November 5, 1979, and on file in the office of the Director of Planning and Community Development.

2. That all outstanding conditions set forth in Modesto City Council Resolution No. 76-939 and Resolution No. 79-1123 and in all Unclassified Use Permits theretofore granted to Doctor's Hospital not inconsistent with the approved plans and conditions shall remain in full force and effect.

BE IT FURTHER RESOLVED that failure to comply with the conditions set forth above shall constitute grounds for revocation of the unclassified use permit granted to Doctor's Hospital by Modesto City Council Resolution No. 76-959, as amended by Modesto City Council Resolution No. 79-1123, and amended hereby.

BE IT FURTHER RESOLVED that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto, held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1249

A RESOLUTION DENYING THE APPEAL OF DEL TACO TO THE DECISION OF THE BOARD OF ZONING ADJUSTMENT ELIMINATING THE PROPOSED EXIT ONLY DRIVEWAY IN CONNECTION WITH THE H-1 CONDITIONAL USE PERMIT FOR A RESTAURANT WITH DRIVE-UP WINDOW AND A COMMERCIAL/OFFICE BUILDING ON THE EAST SIDE OF McHENRY AVENUE SOUTH OF SHEILA COURT IN THE CITY OF MODESTO.

WHEREAS, an application for a conditional use permit in the H-1 Zone for a restaurant with drive-up window and a commercial/office building on the east side of McHenry Avenue south of Sheila Court was filed by Del Taco, Inc. c/o Stan Westfall on September 5, 1979, and

WHEREAS, Sections 10-2.1904(a) and 10-2.2903(f)(4) and (7) of the Modesto Municipal Code authorize the Board of Zoning Adjustment to grant conditional use permits in the H-1 Zone, and

WHEREAS, a public hearing was held by the Board of Zoning Adjustment on September 27, 1979, and thereafter continued to October 25, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and at said continued hearing, the Board of Zoning Adjustment by Resolution No. 889 found that an H-1 zone conditional use permit for a restaurant with drive-up window and a commercial/office building on the east side of McHenry Avenue south of Sheila Court is required by public necessity, convenience, and general welfare for the following reasons:

1. Restaurants and commercial/office buildings are permitted in the H-1 zone subject to granting a Conditional Use Permit by the Board of Zoning Adjustment.

2. The proposed development will replace old nonconforming buildings and structures with new contemporary H-1 development.

3. The design and condition of approval assure compatibility with existing and potential surrounding land uses,

and

WHEREAS, an appeal was filed by Stanley A. Westfall on behalf of Del Taco with the City Council of the City of Modesto on November 5, 1979, to the decision of the Board of Zoning Adjustment eliminating the proposed exit only driveway from its plot plan submitted for the H-1 conditional use permit for a restaurant with drive-up window and commercial/office building on the east side of McHenry Avenue south of Sheila Court in the City of Modesto, and

WHEREAS, said matter was set for public hearing before the Council at its regular meeting place located in the Council Chambers in the City Hall, 801 - 11th Street, Modesto, California, at 4:00 o'clock p.m. on December 4, 1979, at which time evidence, both oral and documentary, was taken and introduced,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal to the decision of the Board of Zoning Adjustment to eliminate the exit only driveway from the H-1 conditional use permit granted to Del Taco for a restaurant with drive-up window and commercial/office building on the east side of McHenry Avenue south of Sheila Court, set forth in Board of Zoning Adjustment Resolution No. 889, adopted on October 25, 1979, is hereby denied for the following reasons:

1. The proposed exit only driveway is too close to the driveway which exists on adjacent property to the north.

2. City policy is to keep the number of driveways to a minimum on McHenry Avenue.

BE IT FURTHER RESOLVED that the decision of the Board of Zoning Adjustment to eliminate the exit only driveway from the H-1 conditional use permit granted for a restaurant with drive-up window and a commercial/office building on the east side of McHenry Avenue south of Sheila Court in the City of Modesto is hereby affirmed.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1250

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND AERO WASH TO PROVIDE MOBILE AIRCRAFT WASH SERVICE AT THE AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Aero Wash

for mobile aircraft wash service at the airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 19 79, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1251

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND FEDERAL AVIATION ADMINISTRATION ESTABLISHING PROCEDURES FOR ALERTING MODESTO FIRE DEPARTMENT IN CASE OF EMERGENCY AT AIRPORT

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Federal Aviation Administration to reflect the procedures to be used to alert the Modesto Fire Department during emergencies that occur on or adjacent to the Modesto City-County Airport

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December, **19** 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1252

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND JOSE AND NELIDA JUAREZ FOR SEWER SERVICE TO PROPERTY OUTSIDE CITY LIMITS AT 1210 GARDEN AVENUE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Jose and Nelida Juarez **for** sewer service to property outside City limits at 1210 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December, 1979, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1253

A RESOLUTION ACCEPTING IMPROVEMENTS IN MATTHEW TERRACE SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Modesto Development , subdividers of Matthew Terrace Subdivision , have filed Subdivision Bonds for faithful performance and labor and materials in the amount of $ 99,000.00 and $99,000.00 respectively to guarantee improvements in Matthew Terrace Subdivision ; and

WHEREAS, the Director of Public Works in a memorandum dated November 27, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Matthew Terrace Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $99,000.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $99,000.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December , 19 79 by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1254

A RESOLUTION ACCEPTING IMPROVEMENTS IN WYCLIFFE HEIGHTS NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Arthur J. Wylie, subdividers of Wycliffe Heights No. 2 Subdivision, have filed Subdivision Bonds for faithful performance and labor and materials in the amount of $ 101,800.00 and $ 50,900.00 respectively to guarantee improvements in Wycliffe Heights No. 2; and

WHEREAS, the Director of Public Works in a memorandum dated November 27, 1979, indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Wycliffe Heights No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $ 101,800.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $ 50,900.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 19 79 by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1255

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR ONE PARCEL OF LAND PRESENTLY BEING USED BY THE CITY AS A DRAINAGE BASIN - PROPERTY AT BUCCANEER COURT, PARCEL 13262-1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County for one parcel of land presently being used by the City as a drainage basin, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1256

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND STANISLAUS COUNTY FOR ONE PARCEL OF LAND PRESENTLY BEING USED BY THE CITY AS A DRAINAGE BASIN - PROPERTY AT AMIGO DRIVE, PARCEL 13260-1

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Stanislaus County for one parcel of land presently being used by the City as a drainage basin, is hereby approved.

BE IT FURTHER RESOLVED that the City Manager and City Clerk are hereby authorized and directed to execute said agreement on behalf of the City of Modesto and the City Clerk authorized to record said Easement Deed with the Recorder of Stanislaus County.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE EMPIRE UNION SCHOOL DISTRICT.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, Sipherd Elementary School has increased the amount of irrigated acreage served by City of Modesto water, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Empire Union School District in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Empire Union School District be established according to the following formula:

A. Domestic Use
Schools K - 6 -- 10 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Capistrano School:

(1)	1 to 300 pupils	$ 907.70
(2)	301 to 600 pupils	$ 931.67
(3)	601 plus pupils	$ 943.68

Sipherd School:

(1)	1 to 300 pupils	$ 1,098.10
(2)	301 to 600 pupils	$ 1,122.07
(3)	601 plus pupils	$ 1,134.08

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1979.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Empire Union School District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Empire Union School District and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolution No. 79-649 adopted by the City Council on June 26, 1979, is hereby superceded by this resolution, effective November 1, 1979.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly

seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1258

A RESOLUTION ESTABLISHING FLAT-RATE CHARGES FOR WATER SERVICE TO THE SYLVAN UNION SCHOOL DISTRICT.

WHEREAS, Section 11-1.11 of the Modesto Municipal Code provides that "the Council shall have the power to establish by agreement or resolution the rates to be charged for providing water services to government agencies, including school districts . . . on a basis that is fair and equitable to all the parties concerned," and

WHEREAS, under this section it has been the practice to establish flat rates for water service to schools by resolution, and

WHEREAS, on Resolution No. 79-650, there was an omission of Stockard-Coffee School making it desirable to correct said resolution, and

WHEREAS, a flat-rate water service charge to schools is fair and equitable to both the City and the Sylvan Union School District in respect to providing water service,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that flat-rate water service charges for schools in the Sylvan Union School District be established according to the following formula:

A. Domestic Use
Schools K - 6 -- 10 cu. ft./pupil/month
Schools 7 - 8 -- 24 cu. ft./pupil/month

B. Irrigation
140,000 cu. ft./acre/year (Based on an eight (8) month irrigation season)

BE IT FURTHER RESOLVED by the Council that annual flat-rate water service charges are hereby established for the following schools in accordance with the formula set forth above based on the number of pupils enrolled in each school, and the area irrigated from the City water system:

Coleman F. Brown School:

(1) 1 to 300 pupils $1,003.38
(2) 301 to 600 pupils $1,027.35
(3) 601 plus pupils $1,039.36

Sherwood School:

(1)	1 to 300 pupils	$1,006.83
(2)	301 to 600 pupils	$1,030.80
(3)	601 plus pupils	$1,042.81

Standiford School:

(1)	1 to 300 pupils	$1,009.33
(2)	301 to 600 pupils	$1,033.30
(3)	601 plus pupils	$1,045.31

Stockard Coffee School:

(1)	1 to 300 pupils	$1,172.84
(2)	301 to 600 pupils	$1,196.80
(3)	601+ pupils	$1,208.81

Woodrow Avenue School:

(1)	1 to 300 pupils	$ 55.80
(2)	301 to 600 pupils	$ 87.00
(3)	601 plus pupils	$ 102.60

Somerset Junior High School:

(1)	1 to 500 pupils	$ 409.15
(2)	501 to 800 pupils	$ 507.08
(3)	801 to 1,200 pupils	$ 604.99

BE IT FURTHER RESOLVED that the flat-rate water service charges established hereby shall be due and payable to City on November 1 of each year, commencing in 1979.

BE IT FURTHER RESOLVED that the determination of the number of pupils enrolled in each school shall be as of the 31st day of October of each year.

BE IT FURTHER RESOLVED that the Sylvan Union School District shall promptly notify City of any changes in area irrigated from the City water system, and that charges shall be immediately revised in accordance with said changes. Failure to promptly notify City may be cause for immediate requirement of metering of the premises.

BE IT FURTHER RESOLVED that all other property owned or controlled by the Sylvan Union School District and connected to the City water system shall receive water from the City water system on a regular metered basis.

BE IT FURTHER RESOLVED that the City Council reserves the right to amend this resolution at any time.

BE IT FURTHER RESOLVED that Resolutions No. 75-415, No. 75-1120, and No. 79-650 adopted by the City Council on March 24, 1975, November 24, 1975, and June 26, 1979, respectively, are hereby rescinded.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1259

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE THE HASHEM NARAGHI PROPERTY NEEDED FOR ORCHARD NEIGHBORHOOD STORM DRAINAGE BASIN

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire the Hashem Naraghi property needed for Orchard Neighborhood storm drainage basin.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December**, 19**79**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1260

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (FRANK HART)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th. **day of** December **, 19** 79 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1261

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (MICHAEL L. KURLAND)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December **, 19** 79 **, by Councilmember** Muratore **, who moved its adoption, which motion being duly seconded by Councilmember** Lang **, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1262

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (FLOYD ZAIGER)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th. **day of** December**, 19**79**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1263

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (PHILIP A. CHAMBERS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December, 19 79, **by Councilmember** Muratore, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1264

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (JACK PLESS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December**, 19** 79**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1265

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (JAMES R.A. MORRIS)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December**, 19** 79**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1266

A RESOLUTION SETTING TIME AND PLACE FOR HEARING OF NECESSITY TO ACQUIRE A PARCEL OF LAND FOR RIGHT OF WAY NEEDED FOR THE WEST TRUNK SEWER (GENEVIEVE HART)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that January 8, 1980 **, at** 7:30 **P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California, is hereby set as the time and place for consideration of** a Hearing of Necessity to acquire a parcel of land for right of way needed for the West Trunk Sewer.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th **day of** December**, 19** 79**, by Councilmember** Muratore**, who moved its adoption, which motion being duly seconded by Councilmember** Lang**, was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1267

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP (JOAQUIN CONSTRUCTION, REGENCY PARK GROUP)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 19, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 and R-3 to P-D(252) to allow zero lot line patio houses and townhouse development, property located west of Prescott Road and north of Veneman Avenue the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-298 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 12-3-8 of the Zoning Map be set for January 2, 1980, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December , 1979 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

R-1 to P-D

All that certain real property situate in the Northeast Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

COMMENCING at the East Quarter corner of said Section 12; thence North 0°42'15" West along the East line of said Section 12, 1005.73 feet to the Southeast corner of Hollandia Estates; recorded in Volume 27 of Maps, page 69, Stanislaus County Records; thence South 88°58'33" West along the south boundary of said Hollandia Estates 395.46 feet to the true POINT OF BEGINNING of this description; thence South 88°58'33" West along the south boundary of said Hollandia Estates and the Westerly extension thereof 665.64 feet to the East line of Parcel 3 of Book 27 of Parcel Maps, page 121, Stanislaus County Records; thence South 0°42'15" East along said East line 13.12 feet to the Southeast corner of said Parcel 3; thence South 88°57'30" West along the South line of said Parcel 3 a distance of 1152.35 feet to the Northeast corner of Parcel B of Book 28 of Parcel Maps, page 120, Stanislaus County Records; thence South 0°37'25" East along the East line of Parcel B and Parcel A of said Book 28 of Parcel Maps, page 120, a distance of 992.83 feet to the centerline of Veneman Avenue; thence North 88°57'40" East along said centerline of Veneman Avenue 1140.42 feet to the Southwesterly extension of the Northwesterly line of Modesto Irrigation District Lateral No. 7; thence along said Southwesterly extension of the Northwesterly line of Lateral No. 7 and said Northwesterly line of Lateral No. 7 North 66°06'27" East 738.63 feet; thence North 0°42'15" West 718.96 feet to the point of beginning.

R-3 to P-D

All that certain real property situate in the Northeast Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the City of Modesto, County of Stanislaus, State of California, described as follows:

COMMENCING at the East Quarter corner of said Section 12; thence North 0°42'15" West along the East line of said Section 12, 1005.73 feet to the Southeast corner of Hollandia Estates, recorded in Volume 27 of Maps, Page 69, Stanislaus County Records and the true POINT OF BEGINNING of this description; thence South 88°58'33" West along the south boundary of said Hollandia Estates 395.46 feet; thence South 0°42'15" East 718.96 feet to the Northerly Right-Of-Way line of M.I.D. Lateral No. 7; thence North 66°06'27" East along said North Right-Of-Way of M.I.D. Lateral No. 7, 82.18 feet; thence Northeasterly 314.85 feet along said Northerly Right-Of-Way of M.I.D. Lateral No. 7 being a tangent curve, concave to the North having a radius of 762.00 feet and a central angle of 23°40'27"; thence North 42°26'00" East along a tangent line and said Northerly Right-Of-Way of M.I.D. Lateral No. 7, a distance of 93.47 feet to said west line of Section 12; thence North 0°42'15" West along said west line of Section 12, a distance of 441.18 feet to the point of beginning.

SCHEDULE "A"
JOAQUIN CONSTRUCTION/REGENCY PARK

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1268

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 16-3-9 OF THE ZONING MAP (JOAQUIN CONSTRUCTION, CROFT)

WHEREAS, the Modesto City Planning Commission held a public hearing on November 19, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the south side of Floyd Avenue west of Coffee Road

the following described property:

SEE SCHEDULE "A"

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-299 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 16-3-9 of the Zoning Map be set for January 8, 1980, at 7:30 p,m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December , 19 79 , by Councilmember Muratore , who moved its adoption, which motion being duly seconded by Councilmember Lang , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

ALL that portion of Parcels "B" and "C" as shown on the map filed in Book 7 of Parcel Maps at Page 77, Stanislaus County Records and a portion of Lot 21 of the Coffee Colony as shown on the map filed in Book 2 of Maps at Page 22, Stanislaus County Records, lying in the Northeast quarter of Section 16, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, City of Modesto, County of Stanislaus, State of California, described as follows;

BEGINNING at the Southeast corner of said Parcel "B"; thence North 89°27'57" West, 146.00 feet along the South line of said Parcels "B" and "C" to the Southwest corner of said Parcel "C"; thence North 0°53'West, 192.48 feet along the West line of said Parcel "C" and extension thereof to the quarter, quarter section line and centerline of Floyd Avenue; thence South 89°29'40" East, 150.00 feet along said quarter, quarter section line; thence South 0°53' East, 122.55 feet to the Northeast corner of said Parcel "B"; thence South 2°23'25" West, 70.01 feet along the East line of said Parcel "B" to the point of beginning.

SCHEDULE "A"
JOAQUIN CONSTRUCTION/CROFT

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1269

A RESOLUTION ADDING SECTION 3.23 ENTITLED "EXPOSED AGGREGATE SIDEWALK" AND DRAWING NO. 3-T ENTITLED "DOWNTOWN CONCRETE AND AGGREGATE SIDEWALK" TO THE "STANDARD SPECIFICATIONS OF THE CITY OF MODESTO", DATED 1975.

WHEREAS, the Planning Commission of the City of Modesto, by Resolution No. 79-296, dated November 19, 1979, has recommended to the City Council that Section 3.23 entitled "Exposed Aggregate Sidewalk" and Drawing No. 3-T entitled "Downtown Concrete and Aggregate Sidewalk" be added to the "Standard Specifications of the City of Modesto" dated 1975, and

WHEREAS, the Council of the City of Modesto desires to add Section 3.23 entitled "Exposed Aggregate Sidewalk" and Drawing No. 3-T entitled "Downtown Concrete and Aggregate Sidewalk" to the "Standard Specifications of the City of Modesto" dated 1975, copies of which are on file in the offices of the City Clerk, Planning Commission and City Engineer,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Section 3.23 entitled "Exposed Aggregate Sidewalk" and Drawing No. 3-T entitled "Downtown Concrete and Aggregate Sidewalk" be added to the "Standard Specifications of the City of Modesto" dated 1975, copies of which are on file in the offices of the City Clerk, Director of Planning and Community Development and City Engineer, and copies of said Section 3.23 and Drawing No. 3-T are attached hereto marked Exhibit "A" and Exhibit "B" respectively, and made a part hereof by reference.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by

Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

3.23 EXPOSED AGGREGATE SIDEWALK:

Exposed aggregate sidewalk shall conform to Section 3.12 of these Standards for concrete sidewalk except for the surface finish.

Exposed aggregate sidewalk shall be seeded with 1/2 inch maximum aggregate embedded in the surface of the concrete by tamping or rolling. The aggregate shall be exposed by washing away the surface mortar with water.

The finished surface shall contain 40 to 50 percent exposed rounded aggregate.

Exposed aggregate sidewalk shall be constructed as shown on Drawing 3-T.

Any proposed changes to this pattern or substitution of materials shall be considered on a case by case basis. The Downtown Improvement District Board of Directors will provide the initial review and recommendation to the City Council. The Director of Public Works will also make a recommendation for D.I.D. and City Council consideration. The City Council will then approve or deny the proposed change with appropriate modifications.

Minor modifications required by special conditions may be made with approval of the Director of Public Works.

Where 50% or more of the sidewalk area requires new sidewalk, the entire sidewalk area shall be constructed with new exposed aggregate sidewalk.

The sidewalk area shall be defined as the entire area required to have sidewalk including tree and tree blockout areas, but not including wheelchair ramps or driveway approaches.

Corner lot frontages shall have each street considered separately.

These standards shall be mandatory within the boundaries of the area as shown in Figure 1.

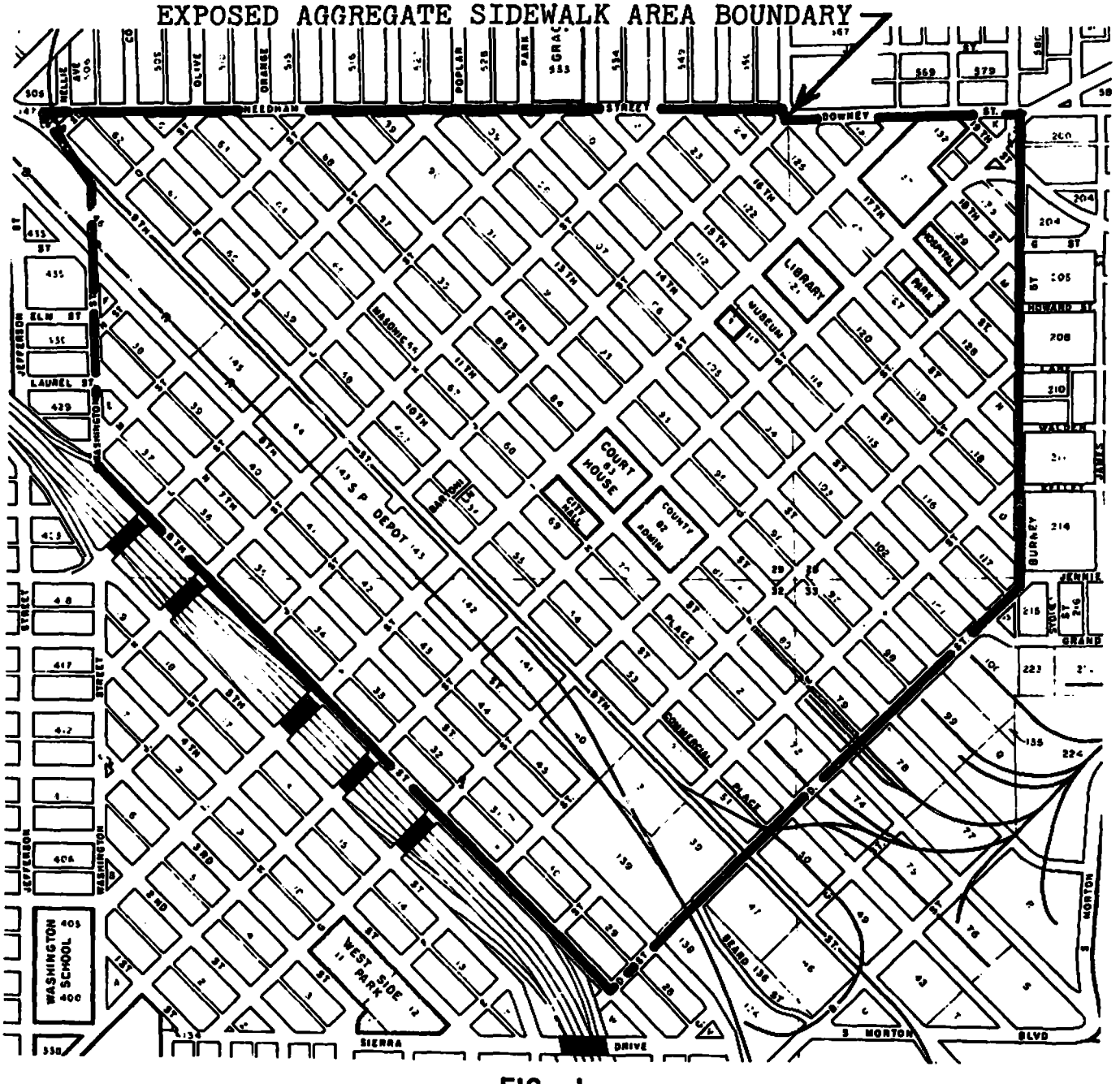
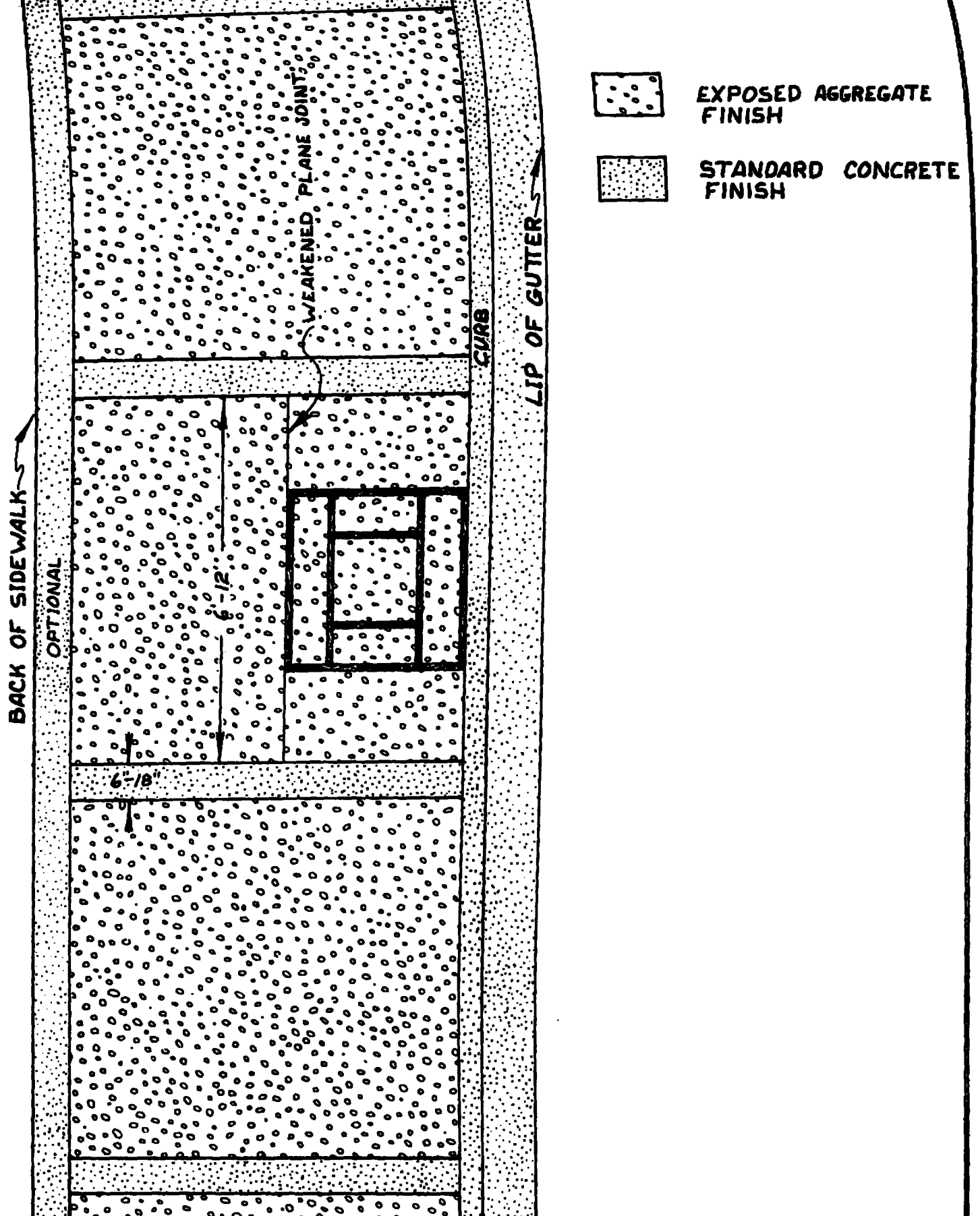


FIG. 1



REVISION

APPROVED BY CITY COUNCIL	Downtown CONCRETE AND AGGREGATE SIDEWALK	DRAWN BY DATE 9/14/79
DIRECTOR OF PUBLIC WORKS RE 10606	CITY OF MODESTO DEPARTMENT OF PUBLIC WORKS	DRAWING NO. 3-T

EXHIBIT B

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1270

A RESOLUTION ORDERING AN ORDINANCE PETITIONED FOR BY AN INITIATIVE PETITION BE SUBMITTED TO THE VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF MODESTO ON MARCH 3, 1981.

WHEREAS, on November 9, 1979, an initiative petition was filed with the City Clerk of the City of Modesto requesting that a proposed ordinance entitled "AN ORDINANCE TO BAR THE CITY FROM ACQUIRING ADDITIONAL LAND FOR PROPOSED DRY CREEK GOLF COURSE, AND REQUIRING THE CITY TO SELL BLUFF LAND PREVIOUSLY ACQUIRED FOR SAID GOLF COURSE" be passed without alteration by this Council or be submitted to a vote of the people at the next general election for which the initiative qualifies, and

WHEREAS, the City Clerk of the City of Modesto has examined said initiative petition and has determined that said petition is signed by not less than ten (10%) percent of the voters of the City according to the County Clerk's last official report of registration to the Secretary of State, and

WHEREAS, the City Clerk has certified, by a certificate dated November 30, 1979, the results of said examination to this Council at the regular meeting thereof on December 4, 1979, and

WHEREAS, the next general election of the City of Modesto will be the General Municipal Election to be held on March 3, 1981, and

WHEREAS, Section 4011 of the Elections Code of the State of California requires this Council to either pass said ordinance without change or submit said ordinance to a vote of the voters of the City of Modesto at the General Municipal Election to be held on March 3, 1981, and

WHEREAS, this Council has not passed said ordinance without change,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The Council of the City of Modesto does hereby submit to the qualified electors of the City of Modesto at the General Municipal Election to be held in said City of Modesto on March 3, 1981, said proposed ordinance, which reads as follows:

"AN ORDINANCE TO BAR THE CITY FROM ACQUIRING ADDITIONAL LAND FOR PROPOSED DRY CREEK GOLF COURSE, AND REQUIRING THE CITY TO SELL BLUFF LAND PREVIOUSLY ACQUIRED FOR SAID GOLF COURSE.

BE IT ORDAINED BY THE PEOPLE OF THE CITY OF MODESTO:

SECTION 1. Legislative Findings. The people of the City of Modesto hereby find and declare as follows:

(a) The City has previously acquired bluff land to the immediate south of Dry Creek and generally between North Riverside Drive and McClure Road, and proposes to expend more funds to acquire additional bluff land in the same area to build and operate an 18-hole championship golf course, all of which will consume in excess of 100 acres.

(b) The area designated for the proposed golf course is within the City's current sewer service area which contains the most expensive undeveloped land in the Modesto area.

(c) Excessive use of sewerable acreage in Modesto's current sewer service urban area for extremely low-density or open space purposes greatly increases urban pressure on adjoining farm land, all of which is inconsistent with the City's land-use policy and the intent of the recently-adopted Modesto Citizens' Advisory Growth Management Act. (Measure A).

(d) Apart from the proposed golf course project, the City now owns in excess of 370 acres of conventional park and recreational facilities, much of which requires further development, owns and operates an 18-hole championship golf course together with a regulation sized 9-hole golf course, and has acquired land and is in the process of acquiring additional land for the development of the 279-acre Dry Creek Park which will provide for multiple recreational uses.

(e) To fully develop the existing 370-acre conventional park facilities and Dry Creek Park will require the expenditure of in excess of $8,000,000.

(f) The cost of operating, supervising and maintaining the existing City-owned Dryden Golf Course facilities significantly exceeds income generated therefrom thereby requiring the use of other monies to insure continued availability of such facilities.

(g) The cost to complete the proposed Dry Creek Golf Course Project has increased dramatically over all original projections.

(h) In addition to the City-owned and operated Dryden Golf Course facilities, there exist several other golfing facilities available for public use, either in or within a reasonable distance from the metropolitan Modesto area.

(i) By abandoning the bluff land as a site for the proposed golf course the City will save further land acquisition and development costs exceeding $2,500,000, will avoid long term use of monies to subsidize its operation, and can recover a substantial amount of funding by selling off all or a portion of the land previously acquired for the golf course.

(j) The City may reprogram the monies saved and recovered in a manner it deems appropriate to meet more immediate, broader-based citizen needs.

(k) Development of a second championship golf course facility in the current sewer service area on excessively expensive land is not advisable or appropriate in view of the passage of Proposition 13 and financial uncertainty created by other similar proposed legislation.

(l) To the extent that the area for the proposed golf course project is utilized for more efficient, higher density urban purposes, the abandonment of said golf course will mitigate urban sprawl, unnecessary urbanization of farm land and costs to taxpayers caused thereby.

SECTION 2. Implementation.

(a) The City shall, immediately upon this ordinance's effective date, proceed to eliminate the proposed golf course from Phase II of the Dry Creek Park Plan and City's General Plan in the manner deemed most appropriate and expeditious by said City.

(b) The City shall abandon any further action to acquire land for said golf course project.

(c) To the maximum extent legally permissible, the City shall cause to be sold any bluff land heretofore acquired for the proposed golf course portion of the Dry Creek Park, Phase II.

(d) The City shall reprogram monies saved and recovered from the abandonment of said golf course project in a manner consistent with the best interests of the citizens of the City of Modesto.

SECTION 3. Inconsistent Legislation Repealed. All ordinances, resolutions, regulations and legislation authorizing the acquisition and development of bluff land for purposes of the development of Dry Creek Park, Phase II Golf Course Project are hereby repealed.

to the extent that they conflict with Section 2.

SECTION 4. Severability. If any section, sentence, clause or phrase of this ordinance or any part thereof is held invalid, such invalidity shall not affect the remaining portions of this ordinance and to this end the provisions of the ordinance are declared to be severable."

SECTION 2. The form of the measure to be used on the ballots and voting machines, including the title and designation of the measure, shall be as follows:

Measure A City of Modesto Initiative Ordinance	Shall the ordinance entitled "An Ordinance to Bar the City from Acquiring Additional Land for Proposed Dry Creek Golf Course, and Requiring the City to Sell Bluff Land Previously Acquired for Said Golf Course" be adopted?	YES NO

SECTION 3. (a) On the ballot and voting machines to be used at said General Municipal Election, in addition to all other matters required by law to be printed thereon, shall appear the measure set forth in Section 2 of this resolution.

(b) Where ballots are used, to vote in favor of said proposed ordinance, a voter shall stamp a cross (X) in the blank space opposite the word "YES" on the ballot to the right of said measure, and to vote against said proposed ordinance, a voter shall stamp a cross (X) in the blank space opposite the word "NO" on the ballot to the right of said measure.

Where voting machines are used, said voting machines shall be so arranged that to vote in favor of said proposed ordinance a voter shall pull down a voting pointer over the word "YES" near said measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever, and to vote against said proposed ordinance, a voter shall pull down a voting pointer over the word "NO" near said measure appearing on cardboard, paper or other material placed on the front of the machine, and pull an operating lever.

The votes cast for and against said measure shall be counted separate and apart from all other measures to be submitted at said General Municipal Election, and if a majority of the qualified voters voting on said measure vote in favor thereof, said proposed ordinance shall become a valid and binding ordinance of the City of Modesto.

SECTION 4. The City Clerk of the City of Modesto is hereby authorized and directed to cause the proposed ordinance to be printed and to cause a copy thereof to be mailed with a sample ballot to each of the qualified electors of said City, at least ten (10) days prior to said General Municipal Election.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 4th day of December, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lane, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1271

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR MUNCY NEIGHBORHOOD PARK GRADING AND PAVING IMPROVEMENTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the Muncy Neighborhood Park grading and paving improvements **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 8, 1980, at 11:00 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** December, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1272

A RESOLUTION ACCEPTING THE BID OF MODESTO HARLEY DAVIDSON, INC. FOR FURNISHING ONE POLICE PATROL MOTORCYCLE

WHEREAS, Resolution No.79-1063 adopted by the Council of the City of Modesto on October 9, 1979 , approved the plans and specifications for the purchase of one police patrol motorcycle and authorized the calling for bids; and

WHEREAS, the bids received for the police patrol motorcycle were opened at 2:00 p.m. on November 6, 1979 , and later tabulated by the Director of Finance for the consideration of the Council; and

WHEREAS, the Director of Finance has recommended that the bid of Modesto Harley Davidson, Inc. in the amount of $3,000 be accepted as the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Modesto Harley Davidson, Inc. in the amount of $3,000 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December , 1979 , by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1273

A RESOLUTION WAIVING FORMAL BID PROCEDURE AND AUTHORIZING CITY MANAGER TO SIGN A PURCHASE AGREEMENT WITH CAPITAL FIRE EQUIPMENT COMPANY FOR EIGHT AIR MASKS WITH REGULATORS; FOURTEEN AIR TANKS; AND THREE MOUNTING BRACKETS

BE IT RESOLVED by the Council of the City of Modesto that formal bid procedure for the purchase of eight air masks with regulators; fourteen air tanks; and three mounting brackets is hereby waived.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to sign a purchase agreement with Capital Fire Equipment Company for the purchase of eight air masks with regulators; fourteen air tanks; and three mounting brackets, for the total purchase price of $7,242.22.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1274

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 22-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (JAMES AND BARBARA BRADY)

WHEREAS, on December 11, 1979, the City Council introduced Ordinance No. 1897 - C. S. giving approval to a project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 22-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2 .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1275

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 78-856 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D (196)."

WHEREAS, the City Council, by Ordinance No. 1763-C. S. which was introduced on August 14, 1978, finally adopted on August 21, 1978, and which became effective on September 20, 1978, amended Section 21-3-9 of the Zoning Map to reclassify from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(196), property located on the north side of East Coolidge Avenue, west of Melrose Avenue in the City of Modesto, to allow a 30-unit, one-story single-family residential development with specific off-street parking requirements, and

WHEREAS, City Council Resolution No. 78-856 which was adopted on August 14, 1978, approved a development plan for P-D(196) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(196) was filed by the Cummins-Goatley Development Company on October 5, 1979, to amend Planned Development Zone, P-D(196) to allow a 16-unit, one-story apartment complex comprised of 8 duplexes on the property located on the north side of East Coolidge Avenue west of Melrose Avenue in the City of Modesto, and

WHEREAS, said application was set for a public hearing before the Planning Commission on November 5, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-282, found and determined that an amendment to P-D(196) to allow a 16-unit, one-story apartment complex comprised of 8 duplexes instead of the 30-unit one-story single-family residential development

with specific off-street parking requirements is required by public necessity, convenience, and general welfare for the following reasons:

1. The presently approved P-D plans allow a 30 unit R-2 density and the proposed 16 unit at a low 5.9 dwellings per acre would certainly not overload the site.

2. The conditions of approval include entire peripheral pilaster fencing and the plot plan contains adequate room for off-street parking and open space,

and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on December 11, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit a 16 unit, one-story apartment complex comprised of 8 duplexes is required by public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-282 and quoted above,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 78-856 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D (196)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D (196), is hereby approved in accordance with the plan titled "TurnKey Housing For the Stanislaus County Housing Authority" as amended in red on its face, stamped approved by the Planning Commission on November 5, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall be in accordance with the plan referred to above and on file in the office of the Planning and Community Development Department.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the plan. Irrigation shall be by underground sprinkler system.

3. Prior to occupancy of the premises, a solid six-foot high fence with decorative masonry pilasters 16 feet on centers shall be constructed along the entire periphery of the property.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate sufficient right-of-way to complete Coolidge Avenue to a collector street standard as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall improve Coolidge Avenue to collector street standards as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. The required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

8. Prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the Director of Public Works for approval. All public improvements shall be constructed in accordance with the approved plans.

9. Prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. If there are any irrigation lines, they shall be removed or relocated as required by the Modesto Irrigation District and the Director of Public Works. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

11. All parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

12. The development shall be connected to public water and sewer facilities as required by the Director of Public Works.

13. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

14. All utilities and TV facilities shall be underground. No antennas shall be permitted.

15. All signs shall comply with the sign requirements of the R-2 Zone.

16. All curbcuts serving two-way driveways shall be widened to 41 feet in width."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned Development Zone, P-D(196):

The construction program shall be accomplished in one phase to begin on or before September 1, 1981, and completed not later than September 1, 1982."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Elliott, Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM: Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1276

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (249).

WHEREAS, a verified application for an amendment to Section 7-3-9 of the Zoning Map was filed by Sutco Construction Company on October 3, 1979, to reclassify from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in a portion of the Southeast quarter of the Northwest quarter of Section 7, Township 3 South, Range 9 East, M.D.B. & M., City of Modesto, State of California, described as follows:

All of Lot 19, Block 13351 of Carver Village, as shown on map of same filed for record in Volume 25 of Maps at Page 17, Stanislaus County Records.

Also including the east half of 60.0 foot wide Shawnee Drive adjacent to the above described property.

Containing 2.6 acres more or less.

WHEREAS, after public hearing held on November 5, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D zone will contain the same number of dwelling units as can be accommodated under the current zoning. The proposed P-D zone will not intensify the land use or change the residential density potential.

2. The proposed P-D zone will allow ownership of individual units rather than rental occupancy only.

3. The conditions of approval, including addition of a six-foot masonry wall along most of the northerly property line along with the application of the Modesto Building Code for condominium construction, will assure that the development will be constructed and maintained to the best interests of the general public as well as the individual property owners.

WHEREAS, after a public hearing held on December 11, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Sutco Construction Company for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1899-C.S. on the 11th day of December, 1979, reclassifying the above-described property from Medium Density Residential Zone, R-2, to Planned-Development Zone, P-D (249).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (249), is hereby approved in accordance with the plan titled "Site/Plot Plan Sutco Construction Company", as amended in red on its face, stamped approved by the City Council on December 11, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall conform to the above referred to plan which is on file in the Planning and Community Development Department.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the north and south property lines.

3. Prior to occupancy of the premises, a solid six-foot high fence with decorative masonry pilasters 16 feet on centers shall be constructed along the southeasterly property line.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

6. All private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

7. The development shall be connected to public water and sewer facilities as required by the Director of Public Works.

8. All outdoor lighting shall be shielded from adjacent residential properties as required by the Director of Public Works.

9. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

10. All utilities and TV facilities shall be underground. No antennas shall be permitted.

11. All signs shall comply with the sign requirements of the R-2 Zone.

12. Prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

13. Prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

14. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

15. The applicant shall install fire hydrants and the pipeline system therefor in accordance with the requirements of the Fire Chief. The hydrants shall be installed and operable prior to construction of any structures.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (249):

The entire construction program shall be accomplished in one phase, construction to begin on or before January 1, 1982, and completion to be not later than January 1, 1983.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (_249_) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Proctor
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1277

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 7-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (SUTCO CONSTRUCTION COMPANY)

WHEREAS, on December 11, 1979, the City Council introduced Ordinance No. - C. S. giving approval to a project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to rezone certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D (249), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 7-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium Density Residential Zone, R-2, to Planned Development Zone, P-D(249).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1278

A RESOLUTION ADOPTING A REVISED SCHEDULE OF RATES AND CHARGES FOR THE COLLECTION OF GARBAGE IN THE CITY OF MODESTO.

WHEREAS, Section 5-5.32 of the Modesto Municipal Code provides that charges to customers for garbage service in the City of Modesto shall be set by the City Council by resolution and may be revised from time to time after holding a public hearing thereon, and

WHEREAS, the City Council has previously, by Resolution No. 79-94, adopted a schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, the City staff has recommended to the City Council a revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, by Resolution No. 79-1210 adopted on November 13, 1979, December 4, 1979, at 4:00 p.m. was set as the time and place for consideration of said recommended revised schedule of rates and charges for garbage service in the City of Modesto, and

WHEREAS, a public hearing was held at said time and place, and was continued to December 11, 1979, at 7:30 p.m., at which times evidence, both oral and documentary, was received and considered, and

WHEREAS, it was found and determined by the Council of the City of Modesto that the schedule of rates and charges to be charged for the collection of garbage in the City of Modesto should be revised,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following revised schedule of rates and charges for garbage service to be charged by all licensed collectors of garbage in the City of Modesto from January 1, 1980, until revised by the City Council:

No. of Containers	Number of collections per week 1	2	3	4	5	6
1.	3.25	6.50	9.75	13.00	16.25	19.50
2.	4.90	9.80	14.70	19.60	24.50	29.40
3.	6.55	13.10	19.65	26.20	32.75	39.30
4.	8.20	16.40	24.60	32.80	41.00	49.20
5.	9.85	19.70	29.55	39.40	49.25	59.10
6.	11.50	23.00	34.50	46.00	57.50	69.00

The standard container rates shall apply for service when containers are placed in a location as set forth in Section 5-5.10 Container Locations (a.1) (a.2). If it is necessary for the collector to enter a fenced yard and/or go more than fifty(50) feet from the property line but less than one hundred(100) feet from the property line to reach a container there shall be added to the regular monthly collection charge an additional charge of seventy-five (75) cents per month. When containers are located at a distance greater than one hundred (100) feet from the property line or there are three or more containers within a fenced yard or more than fifty (50) feet from the property line which requires additional trips by the garbage collector, this shall be handled as a Special Service Condition for which the rates are to be established by negotiation.

DETACHABLE CONTAINERS

Container Size	Number of collections per week 1	2	3	4	5	6
1 CY	8.00	16.00	24.00	32.00	40.00	48.00
1 1/2 CY	12.00	24.00	36.00	48.00	60.00	72.00
2 CY	16.00	32.00	48.00	64.00	80.00	96.00
3 CY	24.00	48.00	72.00	96.00	120.00	144.00
4 CY	32.00	64.00	96.00	128.00	160.00	192.00

DETACHABLE CONTAINER RENTAL RATES NOT INCLUDED IN ABOVE SCHEDULE

Detachable container size	1 CY	1 1/2 CY	2 CY	3 CY	4 CY
Monthly rental rate	7.00	7.50	8.00	8.50	9.00

DROP-BOX CONTAINERS

Pickup charge	50.00/ Pickup
Rental	1.75/ Day with $40.00 maximum for each 30-day rental period
Disposal charge	Actual charge

Garbage company will provide up to 40 CY Drop-box containers for above stated charges subject only to load limit of transfer vehicle.

EXTRA PICKUPS

Standard containers or equivalent	$3.00 plus $0.50/container
Detachable containers	$7.00 plus $1.00/CY

SPECIAL SERVICE CONDITIONS

In situations where none of the above rates reasonably apply, the cost of service is to be negotiated between the garbage company and the customer.

DETACHABLE CONTAINER ONLY REPLACEMENT AND CLEANING SERVICE

1 CY	1 1/2 CY	2 CY	3 CY	4 CY
8.00	8.75	9.50	12.50	16.00

NOTATIONS

1. Where the landlord pays for all cans in one location, it shall be regarded as one service. Each location in which cans are placed for collection must be regarded as a separate service.
2. Where tenant pays for can collection, regardless of location, it shall be regarded as one service.

BE IT FURTHER RESOLVED, that Resolution No. 79-94 is hereby rescinded, effective January 1, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1279

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND C.J. RUMBLE AND SONS, INC. FOR LEASE OF 5.5 ACRES OF ALMONDS (FUTURE CHRYSLER PARK #2)

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and C.J. Rumble & Sons, Inc. for lease of 5.5 acres of almonds (future Chrysler Park #2) to expire October of 1981

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th **day of** December, **19** 79, **by Councilmember** Siefkin, **who moved its adoption, which motion being duly seconded by Councilmember** Kullijian, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1280

A RESOLUTION ADOPTING A SCHEDULE OF RATES AND CHARGES FOR TOWING SERVICES IN THE CITY OF MODESTO.

WHEREAS, Chapter 10 entitled "Towing Services" of Title III of the Modesto Municipal Code (§§ 3-10.01 et seq.) prescribes regulations for the operation of towing services in the City of Modesto, and

WHEREAS, Modesto Municipal Code § 3-10.24 provides that charges made by towing service operators for services rendered pursuant to said regulations shall be established by the City Council by resolution after a review of the rates and charges used in comparable communities and operating data supplied by the towing service operators, and

WHEREAS, the Chief of Police has recommended to the City Council a revised schedule of rates and charges for towing services based upon a review of rates and charges used in comparable communities, and operating data supplied by the towing service operators,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that it hereby adopts the following schedule of rates and charges for towing services to be charged by all towing service operators providing services pursuant to Chapter 10 of Title III of the Modesto Municipal Code from January 1, 1980 until revised by the City Council:

RATE SCHEDULE
FOR TOWING, STORAGE AND MISCELLANEOUS

1.	Daytime Towing (8am-5pm)	$ 25.00
2.	Night (5pm-8am, including weekends and holidays)	30.00
3.	Use of "dolly" (Dolly is a multi-wheeled device used to tow a vehicle when it cannot be towed in the normal manner)	15.00
4.	Labor	7.50
5.	Crane Charges (Includes winching, recovery, etc.)	
	First thirty (30) minutes	15.00
	Each fifteen (15) minute period thereafter	5.00
6.	Storage (For a 24-hour period or less)	
	Outside storage	4.00
	Inside storage	5.00
7.	After hours release or call back (Releasing clothing, cameras, etc., to the Owner)	10.00
8.	Large vehicle (1-1/2 tons factory rate and over including motor home)	
	Daytime (8am-5pm)	40.00
	Night and Holidays	45.00
9.	Emergency Roadside Service (No preference)	
	Day	8.00
	Night	10.00
10.	Reasonable extra charges may be charged for services outside the major Modesto geographical area (The reasonableness of such extra charges shall be subject to review and approval by the Chief of Police)	

BE IT FURTHER RESOLVED that Resolution No. 79-186 adopted on March 6, 1979, is hereby rescinded as of January 1, 1980.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Siefkin, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution

adopted by the folling vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1281

A RESOLUTION ACCEPTING IMPROVEMENTS IN SHASTA ESTATES NO. 1 SUBDIVISION AND AUTHORIZING RELEASE OF SUBDIVISION BONDS

WHEREAS, Joaquin Construction Company , subdividers of Shasta Estates No. 1 Subdivision , have filed Subdivision Bonds for faithful performance and labor and materials in the amount of $167,100.00 and $83,550.00 respectively to guarantee improvements in Shasta Estates No. 1 ; and

WHEREAS, the Director of Public Works in a memorandum dated December 5, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Subdivision Bonds upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Shasta Estates No. 1 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Subdivision Bond for faithful performance in the amount of $167,100.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Subdivision Bond for labor and materials in the amount of $83,550.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December , 1979 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1282

A RESOLUTION ACCEPTING IMPROVEMENTS IN SHASTA ESTATES NO. 2 SUBDIVISION AND AUTHORIZING RELEASE OF INSTRUMENTS OF CREDIT

WHEREAS, Joaquin Construction Company , subdividers of Shasta Estates No. 2 Subdivision , have filed Instruments of Credit for faithful performance and labor and materials in the amount of $ 118,600.00 and $ 59,300.00 respectively to guarantee improvements in Shasta Estates No. 2 ; and

WHEREAS, the Director of Public Works in a memorandum dated December 5, 1979 , indicates that all work required by the subdivision agreement has been completed to the satisfaction of the Public Works Department; and

WHEREAS, the Director of Public Works has indicated that it would be in order for the City Council to accept the improvements in said subdivision as complete and authorize the City Clerk to file notice of completion and release the Instruments of Credit upon expiration of the statutory period.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto:

1. The improvements in Shasta Estates No. 2 Subdivision are hereby accepted.
2. The City Clerk is hereby authorized to release the Instrument of Credit for faithful performance in the amount of $118,600.00 upon recordation of notice of completion.
3. The City Clerk is hereby authorized to release the Instrument of Credit for labor and materials in the amount of $ 59,300.00 upon expiration of the statutory period.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December , 19 79 by Councilmember Siefkin , who moved its adoption, which motion being duly seconded by Councilmember Kullijian , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1283

A RESOLUTION APPROVING A REVISED POLICY REGARDING EXTENSION OF SEWER SERVICE INTO UNINCORPORATED AREAS

WHEREAS, it is recommended that the Council consider adoption of a revised policy statement regarding extension of sewer service into unincorporated areas.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the "City of Modesto Sanitary Sewerage Policy Regarding Extension of Service Into Unincorporated Areas" as shown in Exhibit "A", is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO

MEMORANDUM

December 6, 1979

TO: Modesto City Council

FROM: City Council-Supervisors Liaison Committee
Members Mensinger and Muratore

SUBJECT: Policy for Extension of Sewer Service into Unincorporated Areas

The City Council in July of 1974 adopted a policy regarding extension of sewer service into unincorporated areas. A copy of that resolution and policy statement is attached.

While the policy statement concerning extension of sewer service into unincorporated areas provided guidance on the handling of sewer extensions over the past five years, interpretation of the intent of the policy has become clouded. The policy statement has been redrafted into a format which we believe continues the policy established in July, 1974 but is more easily read and understood. Also attached as an exhibit to the policy statement is a drawing which delineates the various service areas described in the policy statement. It is recommended that the Council consider adoption of the redrafted policy statement regarding extension of sewer service into unincorporated areas.

Of particular importance in redrafting the policy statement is paragraph 5b dealing with sewer service to developed properties in the unincorporated area. As the policy is established, developed areas would need to annex or agree to annex to the City before sewer service would be extended to the area. This is a policy which was established in 1974 and would be reaffirmed by the Council in the adoption of this redrafted policy statement.

The significance of this action impacts two developed areas in the County that are being considered for sewer improvements by the County through HCD Block Grant Funds. The two areas are the Butte-Glenn area in South Modesto and the Airport District. In both cases, the residents in the areas have reservations concerning annexation. The County staff and members of the County Board of Supervisors feel that the two areas are in need of sewer service and that the City could help allay the concerns of the residents by addressing two specific issues. One issue is the mandatory requirement to connect to the sewerage system within two years. The other issue is the fear of City Council mandated improvement districts for curb and gutters, sidewalks, and storm drainage which would place added and unwanted cost burdens on their properties.

The City staff has agreed that extending the time limit from two to five years for mandatory connection to the sewerage system is reasonable and workable. We recommend the staff be directed to prepare appropriate Code amendments to implement such a change.

The second issue concerning City Council mandated improvement districts can be addressed by formalizing an existing administrative policy of the City. The policy provides:

EXHIBIT "A"

1. A petition bearing the names of a substantial number of property owners in area requesting specific public improvements should be submitted to the City Council.

2. If the City Council determines that the petition represents significant interest by property owners in an area for particular public improvements to insure success of an improvement district, the staff will be directed to proceed with the formation of an improvement district.

It is recommended the above policy statement be adopted by the City Council.

The policy requiring annexation is a good one and should be maintained. Our wastewater treatment capacity, limited as it is, should be reserved to meet existing commitments and provide sewer service to areas which do annex to the City.

Peggy Mensinger, Mayor

Frank T. Muratore, Councilmember

Attachments
cc: City Manager
City Attorney
City Clerk (12)
Director of Planning & Community Development
Director of Public Works

EXHIBIT "A"

CITY OF MODESTO SANITARY SEWERAGE POLICY REGARDING

EXTENSION OF SERVICE INTO UNINCORPORATED AREAS

The Modesto Urban Area General Plan, Land Use Element, has as an urban growth objective to: "avoid the wasteful and inefficient sprawl or urban uses into the prime agricultural land surrounding the urban area." This objective is strengthened by a County General Plan, Land Use Element which features an Urban-Transition designation on Modesto's fringe with the intent that: "urban development should be permitted to occur only upon annexation to an adjacent city."

The Policy

It is the policy of the City of Modesto that urban development occur within the City limits by City building permit rather than on the unincorporated fringe. In those cases where annexation is not imminent, such development should be considered premature and approved only in response to unique and overriding circumstances. Even then such approval should be made only with guarantees of ultimate provision of public sanitary sewerage facilities to the development.

Implementation

1. Property within the Municipal Sewer District

The Municipal Sewer District is composed of the incorporated area of the City plus the industrial zoned property in the unincorporated fringe area of the City which includes the Beard Industrial District (East Modesto), Tidewater Southern Indusrial District and Janopaul District (South Modesto) and FMC District (West Modesto).

Sewer service to properties within the Municipal Sewer District is a matter of right subject to available treatment capacity and the payment of appropriate fees and charges.

2. Property within the Urban Reserve Area as shown on the General Plan

Properties in the Urban Reserve are outside the current sewer service area except a portion of the College West Neighborhood. Sewer service to these properties and said portion of the College West Neighborhood will have to await an amendment of the General Plan converting the Urban Reserve designation to Urban Land Uses. An advisory vote of the voters in the City, is also required before sewer service can be extended to properties converted from Urban Reserve to Urban Land Uses.

3. Property within the boundary or sphere of influence of another public agency

The Empire Sanitary District is totally within the Modesto sewer service area. The District is responsible for sewer service within the District boundaries. Sewage generated within the District boundaries is handled by the City of Modesto per agreement with the district.

EXHIBIT "A"

The area between the Tuolumne River and Hatch Road from South Ninth Street east to Mitchell Road is within the City of Ceres sphere of influence. Portions of the area have been annexed to ceres. Sewer service within the area is the responsibility of Ceres. Sewage generated within the area is handled by the City of Modesto per agreement with Ceres.

4. Property that is undeveloped in the unincorporated area and within the current sewer service area.

Undeveloped property in the unincorporated areas adjacent to the City should annex to the City prior to development. Only in special situations where annexation is not possible will sewer service be approved and only then on the basis of an agreement to annex when requested to do so by the City.

5. Property that is developed in the unincorporated area and within the currest sewer service area.

a) Sewer Laterals Exist

Developed properties in the unincorporated areas adjacent to the City where sewer laterals exist may connect to the sewerage system by entering into a sewer service agreement with the City. The agreement provides for properties to annex to the City upon request.

b) Sewer Laterals Do Not Exist

Developed properties in the unincorporated areas adjacent to the City where sewer laterals do not exist to serve the property may request the creation of an appropriately-sized sewer improvement district which reasonably assures an equitable distribution of sewer collection system costs in the area. Annexation is to accompany this process. If annexation is not possible, agreement to annex to the City of Modesto is required.

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 74-563

A RESOLUTION APPROVING POLICY FOR SANITARY SEWER AND WATER SERVICE FOR UNINCORPORATED AREAS

WHEREAS, the Planning Commission of the City of Modesto, by Resolution No. 74-54 adopted April 2, 1974, has recommended that the City Council adopt as City policy, the "Proposed Policy for Sanitary Sewer and Water Service in Unincorporated Areas" dated March, 1974, and

WHEREAS, the Deputy City Manager, in a memorandum dated July 2, 1974, entitled "Proposed Policy for Sanitary Sewer and Water Service in Unincorporated Areas," has recommended that the third paragraph of Section 3(d) of the above-mentioned proposed policy be amended for purpose of clarification.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the document marked Exhibit "A" attached hereto and made a part hereof, entitled "Proposed Policy for Sanitary Sewer and Water Service in Unincorporated Areas, Modesto Planning Department, March, 1974," as amended, is hereby adopted as the City of Modesto's policy for Sanitary Sewer and Water Service for Unincorporated areas.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 8th day of July, 1974, by Councilman Dunlap, who moved its adoption, which motion being duly seconded by Councilman Mensinger, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmen: Dunlap, Elliott, Kullijian, Mensinger, Mayor Davies

NOES: Councilmen: None

ABSENT: Councilmen: Newton, Simon

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

EXHIBIT "A"

CITY OF MODESTO SANITARY SEWER AND WATER POLICY REGARDING EXTENSION OF SERVICE INTO UNINCORPORATED AREAS

Recommended for adoption by the Planning Commission, April 2, 1974
Adopted by City Council, July 8, 1974

The Modesto Urban Area General Plan, Land Use Element, has as an urban growth objective to: "avoid the wasteful and inefficient sprawl of urban uses into the prime agricultural land surrounding the urban area". This objective is strengthened by a County General Plan, Land Use Element which features an Urban-Transition designation on Modesto's fringe with the intent that: "urban development should be permitted to occur only upon annexation to an adjacent city".

The Policy

It is the policy of the City of Modesto for urban development to occur within the City limits by City building permit rather than on the unincorporated fringe. In those cases where annexation is not imminent, such development should be considered premature and approved only in response to unique and overriding circumstances and then only with guarantees of ultimate provision of public water and sanitary sewer facilities.

Implementation

1. Properties in the unincorporated fringe area that can be annexed to the City of Modesto (excepting industrial categories noted below)

Property owners and developers wishing to obtain City sanitary sewer and City water service and develop their properties are encouraged to annex their parcels of land to the City and the Modesto Municipal Sewer District No. 1 and then apply for the appropriate zoning necessary to permit the project. An equally acceptable alternative is for the property owner or developer to submit a prezoning application to the City for processing, with annexation following the approval of the prezoning.

Owners of existing County Planned Development zoned properties are likewise encouraged to apply for prezoning and annexation or annexation and rezoning in order to obtain sanitary sewer and/or water service. It is City policy that County Planned Development zoned properties shall, immediately upon annexation to the City, be automatically given a City low density residential, R-1 Zone, classification unless prezoned to another zoning designation prior to annexation. Other County zoning shall convert to City zoning upon annexation based upon the conversion table contained in Section 10-2.1505.1 of the Municipal Code, a copy at end of this policy.

2. Properties in the unincorporated fringe area that are already in the Modesto Municipal Sewer District No. 1

This category consists generally of industrial tracts: Beard Industrial District (East Modesto), Tidewater Southern Industrial District and Janopaul District (South Modesto) and a Northwest Modesto District roughly bounded by Carpenter, Blue Gum, 9th and Kansas.

Developments within these tracts are permitted sanitary sewer as a matter of right as long as they pay the usual fees and hookup to existing subtrunk sewers.

The policy in these areas is to insure that all urban developments are hooked up to public sanitary sewer and public water. To whatever extent possible, encouragement of annexation to the City should be made.

EXHIBIT "A"

EXHIBIT "A"

This category consists of four distinct types:

a. Subdivisions or other large acreage urban developments that can be served with public sanitary sewer but that are not close enough to city limits to annex.

b. Subdivisions or other large acreage urban development or small lot urban development that can be served with public sanitary sewer but that are within the Ceres sphere of influence.

c. Developed single-family residences or developed non-residential uses in developed unincorporated areas wherein a larger inhabited annexation is necessary (such as a single-family residence in Sherwood Forest or a single-family residence in an existing south or west Modesto subdivision that was initially developed on septic tank).

d. Subdivision or other large acreage development (such as a mobilehome park) south of the Tuolumne River which may or may not be adjacent to the existing city limits.

The first type (subdivisions serviceable by sewer but not close enough to city limits to annex) should await that time when lands can be annexed as the County's urban-transition designation on the General Plan requires. If the County and City deem development should proceed, the development should meet City standards and be served by City water and sewer with individual lot agreements to annex upon the request of the City. Urban development in the unincorporated area, however, creates urban service responsibilities that the County would prefer to avoid if possible.

The second type (developments within the Ceres sphere of influence) are similar to the first type except that Modesto should attempt to make certain that the property annexes to the City of Ceres so that urban development does not occur within the County. By working with Ceres, utility services could be conditioned on Ceres land use standards. The area in this category extends from Herndon Road easterly, Hatch Road northerly, at present.

The third type (developed, individual lots) should be encouraged to hook onto public water and sewer, subject to agreements to annex upon request of the City. Water and sewer service would be provided only where water distribution lines and sewer laterals exist. Annexation will have to await the time when a majority in a given annexation proposal appear to be in favor of annexation.

The fourth type (subdivision south of the Tuolumne River and in the County) would be inconsistent with the County's General Plan. City of Modesto policy on lands south of the Tuolumne River has been to limit annexation to non-residential forms of urban development requiring few municipal services and to advise those wishing to add residential developments to the City to gain support from a broad enough area to justify the separate set of Municipal services needed - specifically, a branch fire station. Development to City standards, public sanitary sewer and water service, and annexation agreements should accompany any utility extensions or service hookups.

MODESTO MUNICIPAL CODE EXERPT:
SEC. 10-2.1505.1 CLASSIFICATION OF ANNEXED TERRITORY.

(a) All territory annexed to the City which has not been prezoned pursuant to Section 10-2.1505 shall automatically be classified with the City's zone classification most comparable to the County's zone classification held immediately prior to its annexation to the City as shown on the following conversion table, except as provided in subsections (b) and (c) hereof.

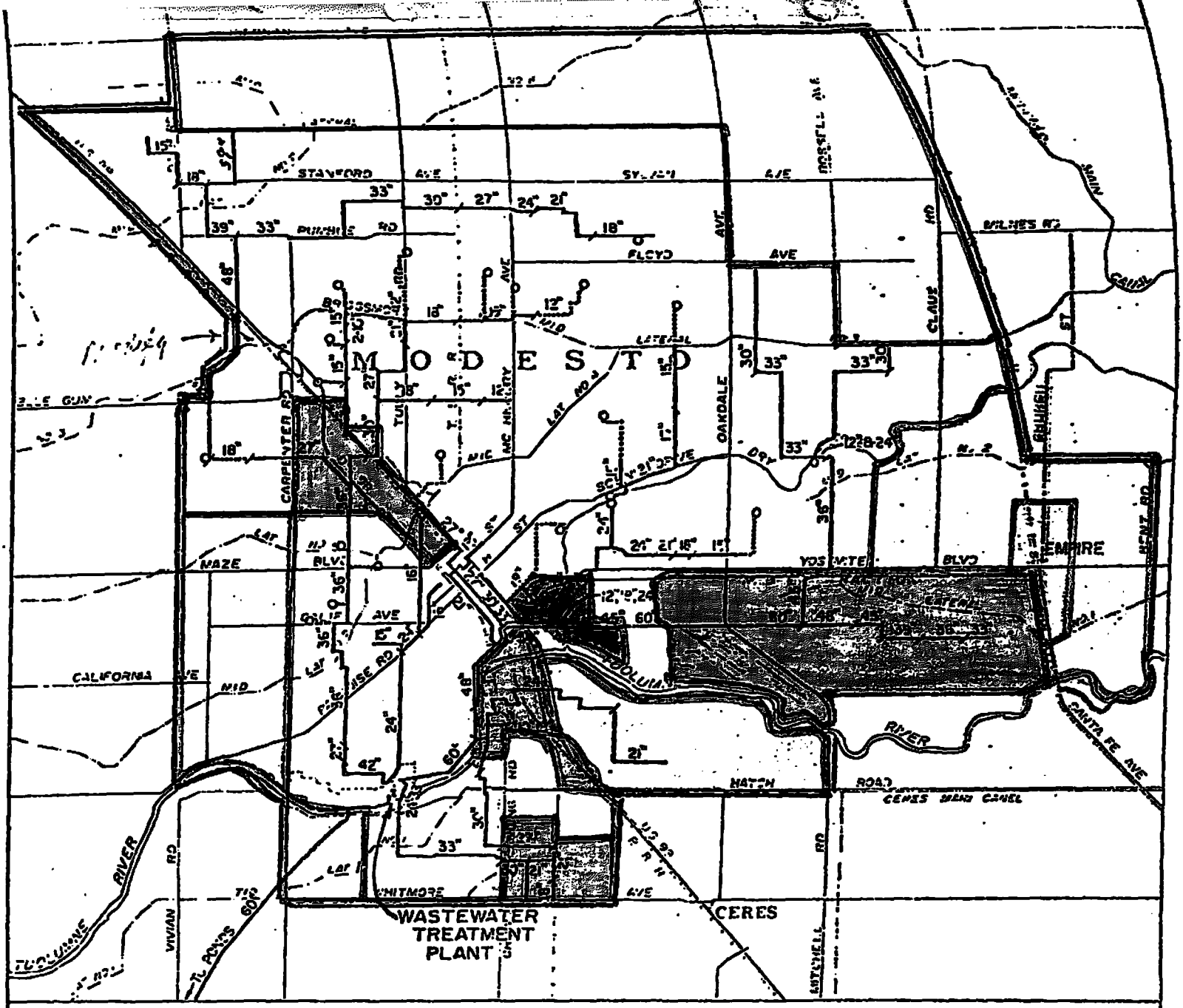
EXHIBIT "A"

Stanislaus County	City of Modesto
F	F
A-2	R-1
R-A	R-1
R-1	R-1
R-2	R-2
R-3	R-3
H-1	H-1
C-1	C-1
C-2	C-2
C-M	M-1
M	M-2

(b) Any territory annexed to the City which in the County was unclassified or in a zoning classification that does not appear in the table specified in subsection (a) above, shall be classified as R-1, Low Density Residential Zone.

(c) The application of County zoning in accordance with the provisions of subsections (a) and (b) of this section shall not prejudice the right of the Council or the Planning Commission to initiate rezoning of any land within the City at a date subsequent to annexation in accordance with the procedures set forth in Articles 21 and 22 of this chapter.

EXHIBIT "A"



LEGEND

GRAVITY SEWER (MAJOR COLLECTOR)

FORCE MAIN

PUMP OR LIFT STATION

Urban Reserve

Industrial

Other Public Agency

Current Sewer Service Area

FIG. V-R

CITY OF MODESTO

TRUNK SEWER SYSTEM

EXHIBIT "A"

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1284

A RESOLUTION APPROVING RECOMMENDED POLICY CONCERNING IMPROVEMENT DISTRICTS IN NEWLY-ANNEXED AREAS

WHEREAS, it is recommended that the Council consider adoption of a policy statement concerning the formation of improvement districts in newly-annexed areas; and

WHEREAS, the policy provides that 1) a petition bearing the names of a substantial number of property owners in the area requesting specific public improvements should be submitted to the City Council; and 2) if the City Council determines that the petition represents significant interest by property owners in an area for particular public improvements to insure success of an improvement district, the staff will be directed to proceed with the formation of an improvement district.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Modesto that the policy concerning improvement districts in newly-annexed areas is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO.79-1285

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR NORTH AIRPORT ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for North Airport Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation North Airport Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

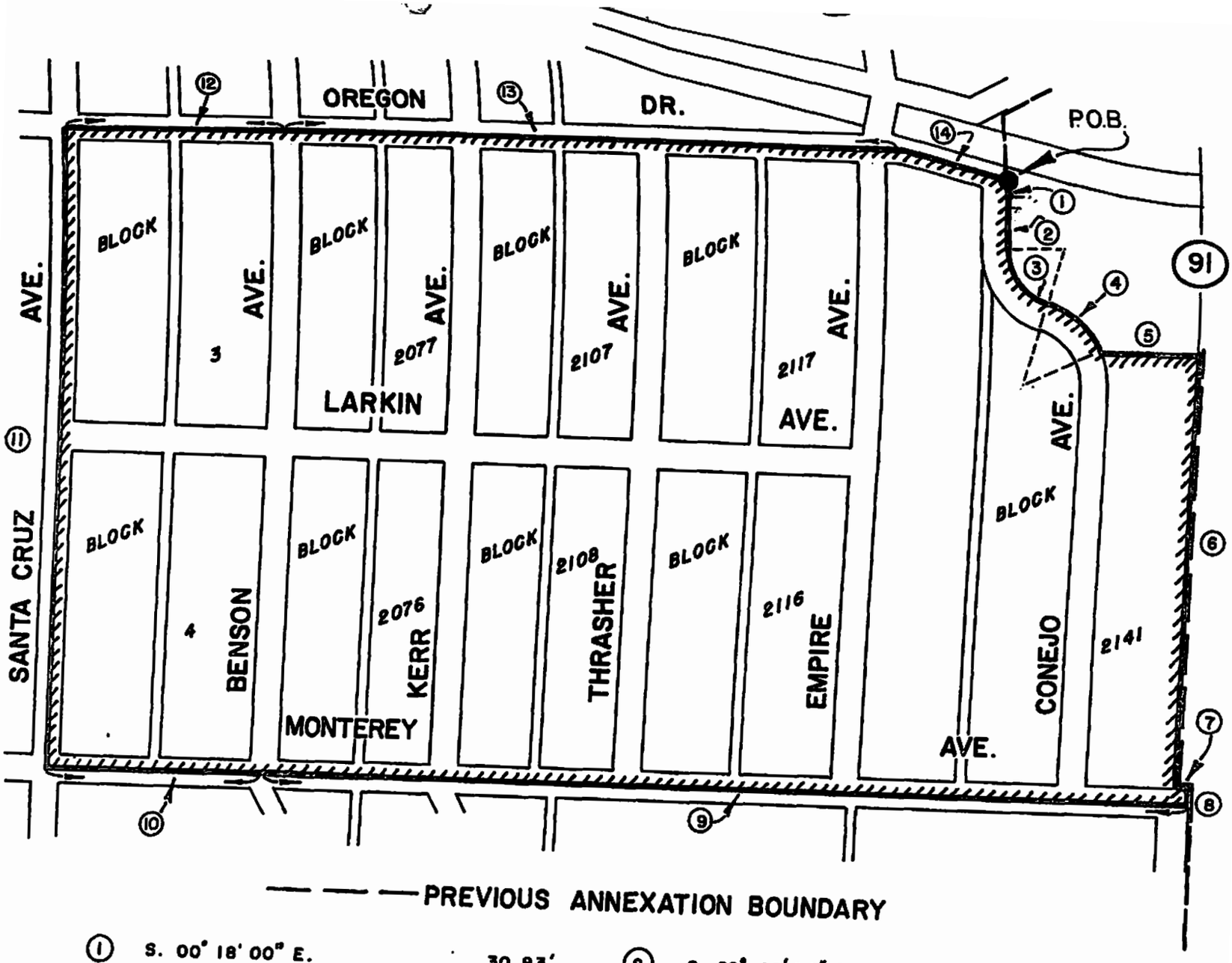
yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

no

5. Other comments the city would like to make.

none



——— PREVIOUS ANNEXATION BOUNDARY

①	S. 00° 18' 00" E.	30.93'	⑧	S. 00° 42' 20" E.	30.00'
②	S. 00° 18' 00" E.	111.37'	⑨	N. 89° 51' 00" W.	2009.74'
③	R=120.00', Δ = 71° 02'	148.77'	⑩	S. 89° 39' 00" W.	468.14'
④	R=180.00', Δ = 49 46'	156.35'	⑪	N. 00° 17' 00" W.	1359.40'
⑤	S. 89° 51' 00" E.	214.49'	⑫	N 89° 35' 00" E.	468.14'
⑥	S. 00° 19' 00" E.	916.51'	⑬	S. 89° 50' 00" E.	1330.41'
⑦	S. 89° 51' 00" E	30.00'	⑭	S. 76° 14' 00" E.	251.68'

(91) AIRPORT ADDITION

FILED 3-19-59 INST. 7984

BASIS OF BEARING: N. 89° 51' 00" W FOR THE CENTERLINE OF MONTEREY AVENUE (FORMERLY TUOLUMNE AVE.) AS SHOWN ON MAP OF SIERRA SUBDIVISON NO.2, FILED IN VOLUME II OF MAPS AT PAGE 31, STANISLAUS COUNTY RECORDS.

NORTH
1" = 330'

NORTH AIRPORT ANNEXATION

72.7 AC.

P.K 10-22-79

S.C.P. & C.D.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1286

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR SOUTH AIRPORT ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for South Airport Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation South Airport Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

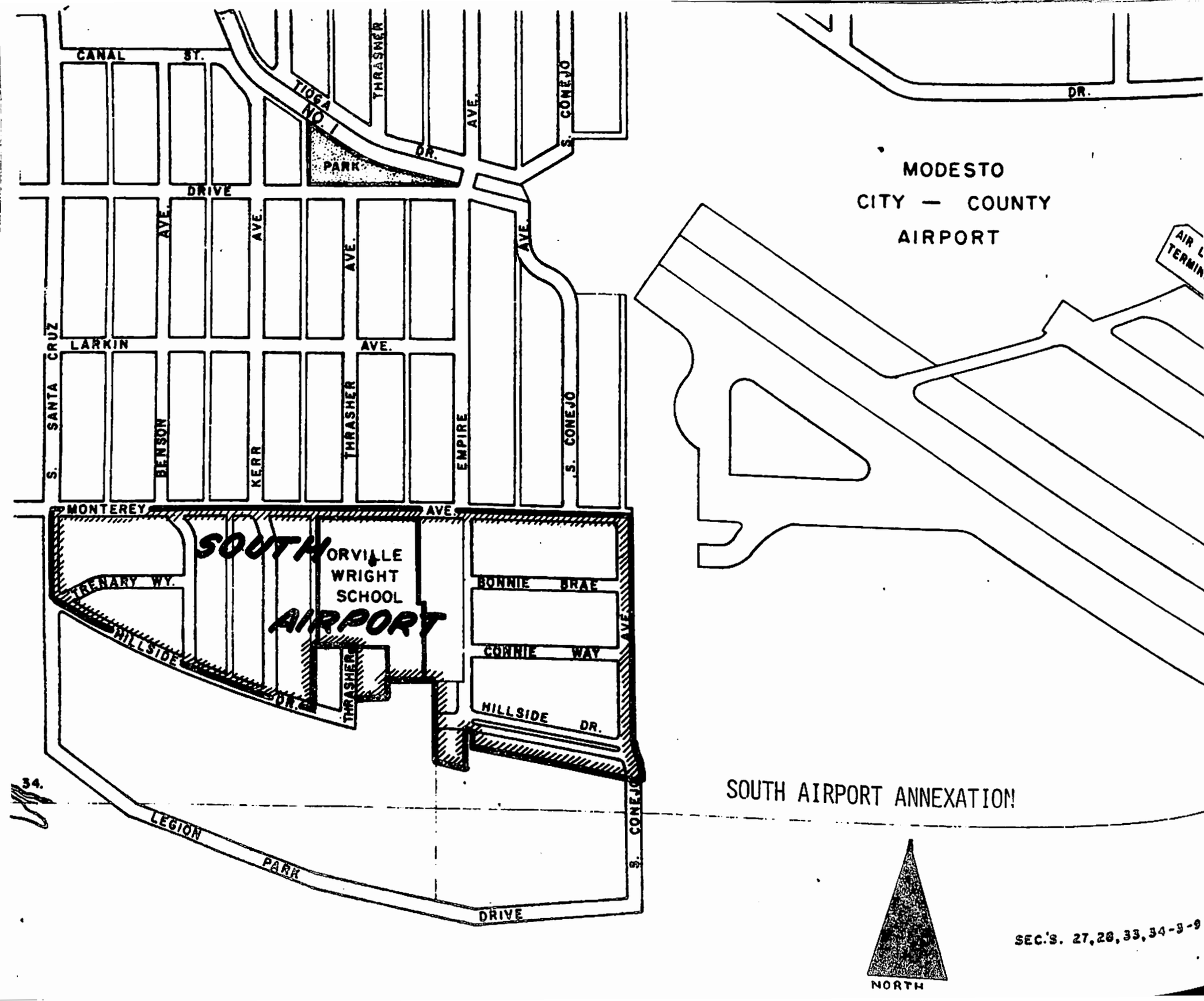
yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

no

5. Other comments the city would like to make.

none


CANAL ST.
TIOGA NO. 1 PARK
THRASHER AVE.
S. CONEJO
DR.
DRIVE
AVE.
AVE.
AVE.
AVE.
LARKIN AVE.
S. SANTA CRUZ
BENSON
KERR
THRASHER
EMPIRE
S. CONEJO
MONTEREY AVE.
SOUTH
ORVILLE WRIGHT SCHOOL
AIRPORT
TRENARY WY.
HILLSIDE DR.
THRASHER
BONNIE BRAE
CONNIE WAY
AVE.
HILLSIDE DR.
34.
LEGION PARK DRIVE
S. CONEJO
MODESTO
CITY — COUNTY
AIRPORT
AIR L
TERMIN
SOUTH AIRPORT ANNEXATION
NORTH
SEC.'S. 27,28,33,34-3-9

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1287

A RESOLUTION APPROVING THE LOCAL AGENCY FORMATION COMMISSION "CITY ANNEXATION QUESTIONNAIRE" FOR BUTTE-GLENN ANNEXATION

BE IT RESOLVED by the Council of the City of Modesto that the attached Local Agency Formation Commission "City Annexation Questionnaire" for Butte-Glenn Annexation is hereby approved.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 11th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Bright, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY ANNEXATION QUESTIONNAIRE

1. Name of City Modesto

2. Name of Proposed Annexation Butte-Glenn Annexation

3. Can the City provide complete City Services to the annexation area if the proposal is approved?

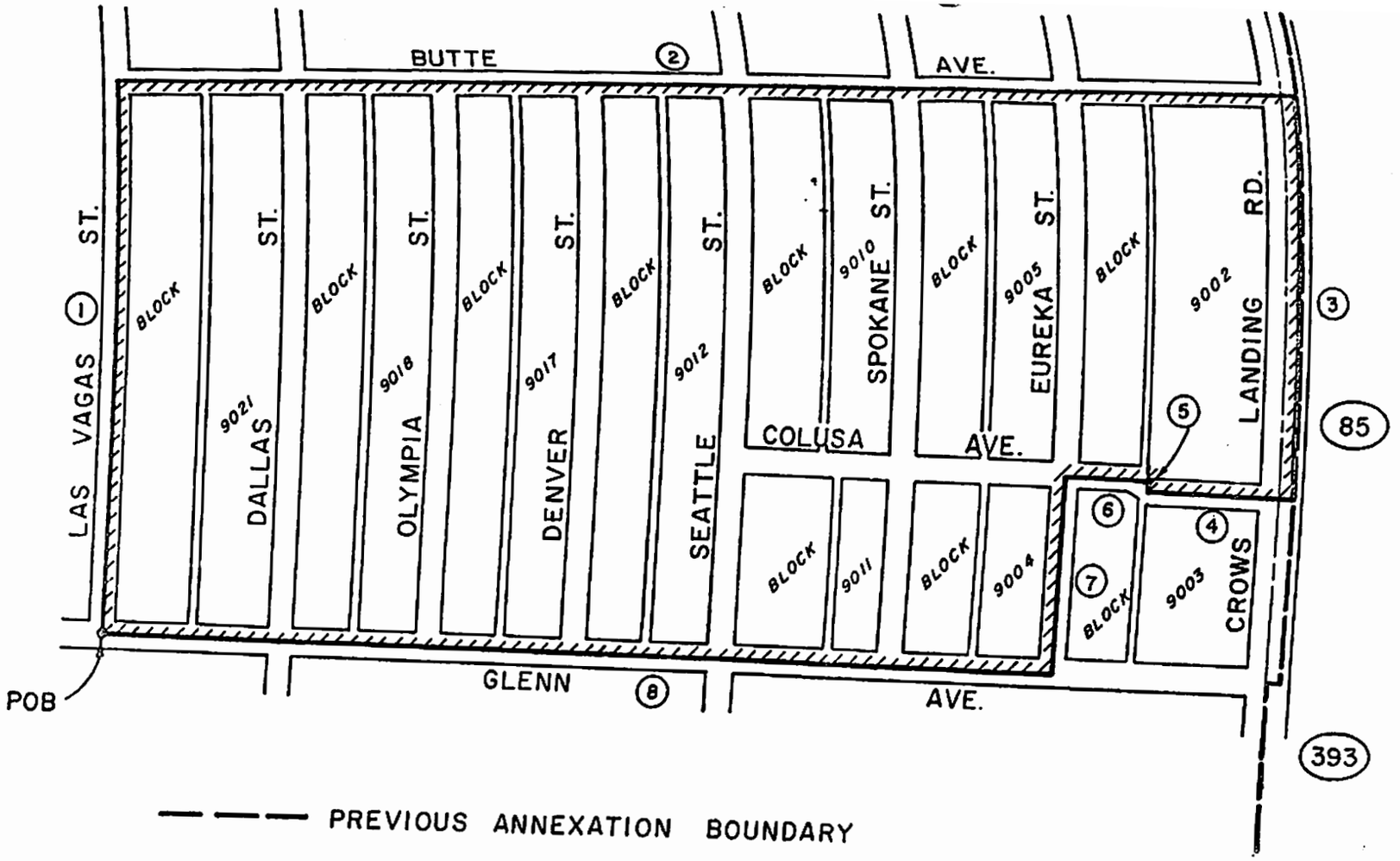
yes

4. If the proposal is approved, are there any conditions the city would like LAFCO to impose?

no

5. Other comments the city would like to make.

none



——— PREVIOUS ANNEXATION BOUNDARY

(1)	N. 00° 09' 00" E.	1240.70'
(2)	N. 89° 12' 00" E.	2667.87'
(3)	S. 00° 02' 00" W.	908.47'
(4)	N. 89° 10' 00" W.	327.50'
(5)	N. 00° 02' 00" E.	30.00'
(6)	N. 89° 10' 00" W.	194.00'
(7)	S. 00° 02' 00" W.	438.31'
(8)	N. 89° 10' 00" W.	2148.87'

NORTH
1" = 400'

(85) MODESTO INDUSTRIAL PARK ADDITION
FILED 3-10-1959 INST. 6807

(393) CROWS LANDING ROAD ANNEXATION
FILED 1-25-1979 INST. 47065

BASIS OF BEARING: S. 00° 02' 00" W. FOR THE CENTERLINE OF CROWS LANDING ROAD AS PER MAP OF SOUTH MODESTO ACRES-TRACT NO.3, FILED IN VOLUME 14 OF MAPS, PAGE 7, STANISLAUS COUNTY RECORDS.

BUTTE-GLENN ANNEXATION
73.3 ACRES

S.C. 10-12-79

S.C.T. & C.D.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1288

A RESOLUTION ACCEPTING WITH REGRET THE RESIGNATION OF J.E. BRADY AS A MEMBER OF THE BOARD OF BUILDING APPEALS

WHEREAS, J.E. Brady was appointed as a member of the Board of Building Appeals on December 15, 1975; and

WHEREAS, J.E. Brady has tendered his resignation as a member of the Board of Building Appeals, effective December 31, 1979; and

WHEREAS, J.E. Brady has been a devoted and sincere public servant and has contributed greatly to our civic progress.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the resignation of J.E. Brady as a member of the Board of Building Appeals is hereby accepted with regret.

BE IT FURTHER RESOLVED that the Council, on its own behalf, and on behalf of the Citizens of Modesto, hereby expresses its sincere appreciation to J.E. Brady for his outstanding service to the Community.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1289

A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING CALL FOR BIDS FOR THE INTERIOR PAINTING OF THE MODESTO POLICE BUILDING

BE IT HEREBY RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. The plans and specifications for the interior painting of the Modesto Police Building **copies of which are on file, are hereby accepted and approved.**

SECTION 2. The City Clerk is hereby authorized to call for public competitive sealed bids for the above named project, to be opened in the office of the City Clerk, 801 11th Street, in the City of Modesto, on January 8, 1980, at 11:10 a.m., **and the City Clerk is hereby directed to give notice inviting such sealed bids in the time, form, and manner provided by law.**

SECTION 3. After the bids are opened, they shall be tabulated and analyzed and a report submitted to the Council at its next regular meeting.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1290

A RESOLUTION ACCEPTING THE BID OF HAROLD FRIES, dba FRIES LANDSCAPE COMPANY FOR THE INSTALLATION OF PLAY APPARATUS IN SYLVAN NEIGHBORHOOD PARK

WHEREAS, Resolution No.79-1215, adopted by the Council of the City of Modesto on November 20, 1979 , approved the plans and specifications for the installation of play apparatus in Sylvan Neighborhood Park and authorized the calling for bids; and

WHEREAS, the bids received for the installation of play apparatus in Sylvan Neighborhood Park were opened at 11:00 a.m. on December 11, 1979, and later tabulated by the Director of Public Works for the consideration of the Council; and

WHEREAS, the Director of Public Works has recommended that the bid of Harold Fries, dba Fries Landscape Company in the amount of $23,980 be accepted as the lowest responsible bid,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the bid of Fries Landscape Company in the amount of $23,980 be accepted and the execution of a contract for the completion of the project by the City's designated officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December , 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79- 1291

A RESOLUTION AMENDING SECTIONS 1 AND 2 OF RESOLUTION NO. 77-996 ENTITLED "A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(161). (JAMES PRICE)"

WHEREAS, the City Council, by Ordinance No. 1650-C. S. which was introduced on September 29, 1977, finally adopted on October 24, 1977, and which became effective on November 23, 1977, amended Section Maps 8-3-9 and 17-3-9 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(161), property located on the east side of Sherwood Avenue between Leveland Lane and Rumble Road, and the east side of Sherwood Avenue north of Rumble Road in the City of Modesto, to allow construction of a 100-unit condominium development and a 164-unit one and two-store apartment development, and

WHEREAS, City Council Resolution No. 77-996 which was adopted on September 29, 1977, approved a development plan for P-D(161) and contained the conditions of approval thereof, and

WHEREAS, a verified application for an amendment to Planned Development Zone, P-D(161) was filed by Jim Price on August 22, 1979, to amend Planned Development Zone, P-D(161) to allow conversion of the existing 164-unit one and two-story apartment complex to condominiums on the property located on the north side of Rumble Road, and on the east side of Sherwood Avenue in the City of Modesto, and

WHEREAS, said application was set for a public hearing before the Planning Commission on September 17, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, at said hearing, after hearing evidence both oral and documentary, the Planning Commission, by its Resolution No. 79-239, found and determined that an amendment to P-D(161) to allow conversion of the existing 164-unit one and two-story apartment complex to condominiums is required by public necessity, convenience, and general welfare for the following reasons:

1. The proposed P-D zone will allow ownership of individual units rather than only rental occupancy of the complex which has been developed as previously approved.

2. The conditions of approval will assure that the development will be reconstructed and maintained to the best interests of the general public as well as the individual property owners, and

WHEREAS, said matter was set for a public hearing before the City Council at its regular meeting place in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, on November 6, 1979, and continued to December 18, 1979, and

WHEREAS, after hearing evidence, both oral and documentary, the Council finds and determines that the requested amendment to permit condominiums is required by public necessity, convenience, and general welfare for the reasons set forth in Planning Commission Resolution No. 79-239 and quoted above, and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that Sections 1 and 2 of Modesto City Council Resolution No. 77-996 entitled "A Resolution Approving a Development Plan for Planned Development Zone, P-D(161)" are hereby amended to read as follows:

"SECTION 1. DEVELOPMENT PLAN. The development plans for Planned Development Zone, P-D(161) are hereby approved in accordance with the plan titled "Stoneybrook-hartford Place", as amended in red on its face, stamped approved by the City Council on September 29, 1977, and the plan titled "Stoneybrook Apartments", as amended in red on its face, stamped approved by the Planning Commission on September 17, 1979, which plans are on file in the Planning and Community Development Department, subject to the following conditions:

1. That all development shall be in accordance with the plan referred to above.

2. That the developer shall install 9 on-site fire hydrants in accordance with the specifications of the Fire Chief prior to construction of any structures.

3. That all parking and driveway areas shall be improved in accordance with City standards including the provisions of Sections 10-2.1801, 10-2.1804, and 10-2.1808 of the Municipal Code. The drainage facilities for the parking areas shall be approved by the Director of Public Works.

4. That prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted by the applicant for approval by both the Director of Planning and the Director of Parks and Recreation. The landscaping and irrigation system shall be installed and maintained in accordance with the approved landscaping and irrigation plans. Irrigation shall be by underground sprinkler system.

5. That all landscaping, fences and walls shall be maintained and that the premises shall be kept free of weeds, trash and other debris.

6. That the development shall be connected to the City water and sanitary sewer facilities in accordance with the requirements of the Director of Public Works.

7. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

8. That prior to sale of any condominiums, a subdivision map shall be recorded.

9. A multiple family housing project sign, each such sign not exceeding twelve (12) square feet in area or six (6) feet in height shall be permitted at each driveway entrance to the project, except the recreational vehicle storage area driveway. The developer shall install a STOP sign adjacent to each driveway exit from the project near the driveway's intersection with a public street. All remaining signs shall comply with the R-2 Zone sign provisions.

10. That building plans for the project shall indicate a standard detail for adequate storage for garbage and garden refuse. Said storage areas shall be screened from view from any public street, and shall be subject to approval of the Director of Planning and Community Development. Each condominium home shall have such a storage unit provided in accordance with the plans approved by the Director of Planning and Community Development,

11. That prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting 92 street trees.

12. That prior to the issuance of a building permit the developer shall dedicate 10 feet of right-of-way for the widening of Leveland Lane.

13. That the developer shall improve to City of Modesto collector street standards the following streets: Rumble Road, Sherwood Avenue, and Leveland Lane.

14. That prior to the issuance of a building permit, the developer shall dedicate 10-foot wide public utility easements along the frontages of Rumble Road, Sherwood Avenue, and Leveland Lane.

15. That the required public street improvements shall be installed prior to the occupancy of any structures on the premises, or by June 1, 1979, whichever occurs first.

16. That all outdoor lighting shall be shielded from adjacent residential properties in accordance with the requirements of the City Engineer.

17. That prior to the issuance of a building permit for any development, the developer shall submit street improvement plans prepared by a registered civil engineer for approval by the City Engineer.

18. That prior to the issuance of a building permit, if the required public street improvements have not been installed, a cash deposit, savings and loan certificate, surety bond, or other instrument of credit in an amount to be determined by the City Engineer, shall be filed with the City Clerk to guarantee installation of public improvements by June 1, 1979, or prior to occupancy, whichever occurs first.

19. That the developer shall construct a 6-foot high decorative masonry wall along the north property line adjacent to the "Stoneybrook" project.

20. Prior to City Council approval of a final subdivision map, the subdivider shall submit for approval by the City Attorney the articles of incorporation and bylaws, as well as all covenants, conditions, and restrictions which are to be recorded to create a Homeowners' Association which shall guarantee continued maintenance of common facilities in the P-D zoned area. These documents shall be recorded concurrently with the final subdivision map."

"SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D(161):

The construction program shall be accomplished in 6 phases as follows:

Phase I, to include 36 condominium units and the recreational area with construction to commence on or before June 1, 1978, and be completed by June 1, 1979.

Phase II, to include the entire 164 rental apartment units, with construction to commence on or before June 1, 1978, and be completed by June 1, 1980.

Phase III, to include 18 condominium units with construction to commence on or before June 1, 1979, and be completed by June 1, 1980.

Phase IV, to include 19 condominium units with construction to commence on or before June 1, 1980, and be completed by June 1, 1981.

Phase V, to include the remaining 27 condominium units and the recreational vehicle storage area with construction to commence on or before June 1, 1981, and be completed by June 1, 1982.

Phase VI, to include conversion of the 164 rental apartment units to condominiums, construction to begin on or before December 1, 1983 and completion to be not later than December 1, 1984."

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Lang, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1292

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 21-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY PROPERTY LOCATED THEREON. (GARY E. BRIGHT)

WHEREAS, on December 18, 19 79, the City Council introduced Ordinance No. 1901 -C. S. giving approval to a project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and from Rural Residential Zone, R-A, and Medium High Density Residential Zone, R-3, to Commercial Industrial Zone, C-M , and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 21-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Professional Office Zone, P-O, and from Rural Residential Zone, R-A, and Medium High Density Residential Zone, R-3, to Commercial Industrial Zone, C-M .

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1293

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 10-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (COUNCIL INITIATED)

WHEREAS, on December 18, 1979, the City Council introduced Ordinance No. 1901 -C. S. giving approval to a project relating to an amendment to Section Map 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Medium Density Residential Zone, R-2, and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section 10-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Medium High Density Residential Zone, R-3, to Medium Density Residential Zone, R-2.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1294

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT ZONE, P-D(250).

WHEREAS, a verified application for an amendment to Section 17-3-9 of the Zoning Map was filed by Lapata International, Ltd. on May 21, 1979, to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(236) to allow a 10-unit, 2-story residential condominium, property located on the east side of Sherwood Avenue, south of Bowen Avenue, which is hereinafter described, and

WHEREAS, on August 14, 1979, by Resolution No. 79-846, the City Council denied the requested rezoning for the following reasons:

1. There is inadequate visitor off-street parking.

2. The density is too high and is not compatible with the surrounding Low Density Residential Zone, R-1, area,

and

WHEREAS, on August 14, 1979, by Resolution No. 79-846, the City Council, in accordance with the provisions of Section 10-2.2103 of the Modesto Municipal Code, determined that it was appropriate to waive the one year limitation for Lapata International, Ltd. to submit a new application to the Planning Commission for an amendment to Section 17-3-9 of the Zoning Map to reclassify the hereinafter described property, and

WHEREAS, thereafter, a verified reapplication for an amendment to Section 17-3-9 of the Zoning Map was filed by Lapata International, Ltd. on August 28, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(250) to allow a 10-unit, two-story condominium with a slightly revised parking layout, the following described property:

County of Stanislaus, State of California: That portion of Lot 5 of the FRESNO TRACT, as per map filed March 14, 1903, in Volume 1 of Maps, Page 76, and as said Lot is shown on the Map of Resurvey of Lot 5 of FRESNO TRACT, filed on May 19, 1941, in Volume 3 of Surveys, Page 26, described as follows, to-wit:

COMMENCING at the Northwest corner of said Lot 5 of FRESNO TRACT and running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 143.46 feet to the point of beginning of this description; thence running along the West line of said Lot 5 of FRESNO TRACT, South 0° 48' East 123.47 feet to a point; thence North 89° 27' East 398.03 feet to a point in the centerline of irrigation ditch, thence along the centerline of said irrigation ditch, North 1° 28' West, 117.53 feet to a point; thence running in a Westerly direction in a straight line from said last named point to the point of beginning,

and

WHEREAS, said reapplication was set for a public hearing by the Planning Commission on October 1, 1979, and thereafter continued to November 5, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, at which hearing evidence, both oral and documentary, was received and considered, and

WHEREAS, on November 5, 1979, the Planning Commission considered a revised plan for a 9-unit condominium which plan also significantly increased the parking places available to residents and guests, and it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The proposed P-D Zone for 9 condominium units will allow a residential development of a density that is consonant with the approved density standards for single-family residential areas as specified in the General Plan.

2. The proposed P-D plan, as revised, will allow a varied housing type while maintaining a compatible relationship with the surrounding residential area.

3. The revised plan for 9 units has reduced the density by 10% by deleting a unit from the north side of the site which also cuts down on the massiveness of this exposure, a previous criticism of the plan.

4. The parking ratio exceeds 3 spaces per unit and the plan practically can accommodate more than 4 cars per unit offstreet,

and

WHEREAS, after a public hearing held on December 18, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the reapplication of Lapata International, Ltd. for a Planned Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth in Planning Commission Resolution No. 79-275 and quoted above, and

WHEREAS, the Council has introduced Ordinance No. 1903 -C. S. on the 18th day of December, 1979, reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(250),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(250) is hereby approved in accordance with the plan titled "Site Plan Sherwood Place Condominiums" as amended in red on its face, stamped approved by the Planning Commission on November 5, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. That all development shall conform to the above referred to plan which is on file in the Planning and Community Development Department.

2. The prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with said plan. Irrigation shall be by underground sprinkler system. Screen landscaping shall be installed along the North, South, and East property lines.

3. That prior to occupancy of the premises the applicant shall construct a solid six-foot high fence with decorative masonry pilasters 16 feet on centers along the North and East property lines, except on a portion of the north property line, the applicant shall construct a 6-foot solid decorative masonry wall as shown in red on the plan.

4. That all landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. That the developer shall improve Sherwood Avenue to collector street standards in accordance with the requirements of the Director of Public Works prior to occupancy or upon demand by the City whichever occurs first.

6. That there shall be no second story windows or decks closer than 40 feet from the north or south property lines or 20 feet from the east property line.

7. That prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the Director of Public Works for approval. All public improvements shall be constructed in accordance with the approved plans.

8. That all private streets and parking areas shall be constructed in accordance with the structural section for residential streets as contained in the City of Modesto Standard Specifications.

9. That with respect to size, dimensions, and landscaping, all parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

10. That the development shall be connected to public water and sewer facilities in accordance with the requirements of the Director of Public Works.

11. That all trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. If trash enclosures are used, they shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

12. That all utilities shall be underground including TV reception facilities. No antennas shall be permitted.

13. That all signs shall comply with the sign requirements of the R-1 Zone.

14. That prior to the issuance of a building permit for any structure, a subdivision map shall be recorded.

15. That prior to issuance of a building permit for any development, the developer shall submit evidence in a form satisfactory to the City Attorney, that there has been created a Homeowners' Association to guarantee common facilities and private property improvement and maintenance in accordance with the approved plans.

16. That all curbcuts serving two-way driveways shall be widened to 30 feet in width.

17. That the developer shall dedicate an additional 6 feet to widen the alley to the east and shall pave the westerly 10 feet of the alley prior to occupancy of the development.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (250):

That the entire construction program be accomplished in one phase, construction to begin on or before April 1, 1981, and completion to be not later than January 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (250) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	Lang
ABSENT:	Councilmembers:	None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Shields
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1295

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 17-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (LAPATA INTERNATIONAL, LTD.)

WHEREAS, on December 18, 19 79, the City Council introduced Ordinance No. 1903-C. S. giving approval to a project relating to an amendment to Section Map 17-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(250), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 17-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(250).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Elliott, who moved its adoption, which motion being duly seconded by Councilmember Kullijian, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: Lang

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1296

A RESOLUTION APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D (251).

WHEREAS, a verified application for an amendment to Section 31-3-9 of the Zoning Map was filed by Cummins and Goatley on October 3, 1979, to reclassify from Residential-Agricultural Zone, R-A, to Planned-Development Zone, P-D, the following described property:

All that certain real property situate in the Northeast quarter of the Northwest quarter of Section 31, Township 3 South, Range 9 East, M.D.B.&M., City of Modesto, State of California, being a portion of Lot 25 of Maze Ranch Subdivision, as per map filed March 19, 1909, in Book 4 of Maps, page 18 Stanislaus County Records, described as follows:

Commencing at the Northwest corner of Lot 7 in Block 4130 of Willow Estates Unit No. 1, filed May 15, 1962, in Book 20 of Maps, at Page 13; thence North 89° 50' 04" East, 107.88 feet to the Northeast corner of said Lot 7; thence North 89° 32' 50" East, 109.74 feet to the Northeast corner of Lot 4 in Block 4130 of said subdivision; thence North 3° 04' 50" West, 172.79 feet to a point; thence North 0° 11' 30" West, 59.12 feet to a point; thence North 89° 44' 45" West, 180.00 feet to the Northeast corner of Lot 11 in Block 4130 of said subdivision; thence South 16° 19' 48" West, 88.79 feet to the Southeast corner of said Lot 11; thence along a curve concave to the Southwest with a central angle of 118° 11' 59", a radius of 50 feet and an arc length of 103.15 feet to a point; thence along a curve concave to the Southeast with a central angle of 42° 49' 52", a radius of 50 feet and an arc length of 37.38 feet to a point; thence along a curve concave to the Southeast with a central angle of 1° 51' 51", a radius of 975 feet and an arc length of 31.72 feet to the Northwest corner of said Lot 7, being the point of commencement.

Containing 1.04 acre more or less.

WHEREAS, after public hearing held on November 5, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, it was found and determined by the Planning Commission that rezoning of the property as requested is required by public necessity, convenience and general welfare for the following reasons:

1. The 7 units in the proposed P-D zone constitute a density well within the R-1 density P-D standards.

2. The development plan provides for 3 detached single family dwellings facing Longfellow and Merton Avenues, providing compatibility with the R-1 dwellings in the neighborhood interior.

WHEREAS, after a public hearing held on December 18, 19 79, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, the Council found and determined that the application of Cummins and Goatley for a Planned-Development Zone should be granted as consonant with public necessity, convenience and general welfare for the reasons set forth above, and

WHEREAS, the Council has introduced Ordinance No. 1904 -C.S. on the 18th day of December, 19 79, reclassifying the above-described property from Residential-Agricultural Zone, R-A, to Planned-Development Zone, P-D (251).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned-Development Zone, P-D (251), is hereby approved in accordance with the plan titled "TurnKey Housing for the Housing Authority of the County of Stanislaus", as amended in red on its face, stamped approved by the Planning Commission on November 5, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall conform to the above referred to plan which is on file in the Planning and Community Development Department.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the plan. Irrigation shall be by underground sprinkler system.

3. Prior to occupancy of the premises, a solid six-foot high fence with decorative masonry pilasters 16 feet on centers shall be constructed along the north and south property lines.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate sufficient right-of-way to complete Emerald Avenue to a collector street standard as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall improve Emerald Avenue to collector street standards as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. The required public street improvements shall be constructed prior to the occupancy of any structures on the premises.

8. Prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the Director of Public Works for approval. All public improvements shall be constructed in accordance with the approved plans.

9. Prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Public Works. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

11. All parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

12. The development shall be connected to public water and sewer facilities as required by the Director of Public Works.

13. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

14. All utilities and TV facilities shall be underground. No antennas shall be permitted.

15. All signs shall comply with the sign requirements of the R-1 Zone.

16. The developer shall dedicate to the City of Modesto a street tree planting easement along the Emerald and Longfellow Avenue frontages as required by the Director of Parks and Recreation.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (251) :

> The entire construction program shall be accomplished in one phase, construction to begin on or before February 1, 1981, and completion to be not later than February 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code.

SECTION 4. COMPLIANCE WITH CODE PROVISIONS, ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (251) becomes effective.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn E. Johnson
ELWYN E. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William Pond
Department of Planning and Community Development

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1297

A RESOLUTION CERTIFYING REVIEW OF ENVIRONMENTAL ASSESSMENT AND DIRECTING THE DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT TO FILE A NOTICE OF DETERMINATION OF THE ENVIRONMENTAL IMPACT RELATING TO AN AMENDMENT TO SECTION MAP 31-3-9 OF THE ZONING MAP OF THE CITY OF MODESTO RECLASSIFYING CERTAIN PROPERTY LOCATED THEREON. (CUMMINS AND GOATLEY)

WHEREAS, on December 18, 1979, the City Council introduced Ordinance No. 1904 - C. S. giving approval to a project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Residential-Agricultural Zone, R-A, to Planned Development Zone, P-D (251), and

WHEREAS, the City Council certifies that at said Council meeting it reviewed and considered the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the subject project relating to an amendment to Section Map 31-3-9 of the Zoning Map of the City of Modesto to reclassify certain property from Residential-Agricultural Zone, R-A, to Planned Development Zone, P-D(251).

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Muratore, who moved its adoption, which motion being duly seconded by Councilmember Siefkin, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

CORRECTED
MODESTO CITY COUNCIL
RESOLUTION NO. 79-1298

A RESOLUTION GRANTING THE APPEAL FILED BY MID-VALLEY ENGINEERING ON BEHALF OF R. T. HUGHES COMPANY TO THE DECISION OF THE PLANNING COMMISSION DENYING AN AMENDMENT TO SECTION 12-3-8 OF THE ZONING MAP OF THE CITY OF MODESTO TO REZONE FROM LOW DENSITY RESIDENTIAL ZONE, R-1, TO PLANNED DEVELOPMENT ZONE, P-D(253); APPROVING A DEVELOPMENT PLAN FOR PLANNED-DEVELOPMENT ZONE, P-D(253); AND OVERRULING THE DECISION OF THE PLANNING COMMISSION.

WHEREAS, a verified application to amend Section 12-3-8 of the Zoning Map was filed by R. T. Hughes Co. on September 18, 1979, to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow a retail commercial development, property located at the northwest corner of Standiford Avenue and Prescott Road described as follows:

> All that real property situated in a portion of the Northeast Quarter of Section 12, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, in the County of Stanislaus, State of California, described as follows:
>
> Beginning at the Southeast corner of said Northeast Quarter of Section 12; thence North 0° 42' 15" West along the East line of said Northeast Quarter 560.0 feet to the North line of the 100-foot wide Modesto Irrigation District Lateral No. 7; thence along said North line Southwesterly 1,230.0 feet, more or less, to the South line of said Northeast Quarter of Section 12; thence along said South line Easterly 1,075.0 feet, more or less, to the point of beginning,

and

WHEREAS, said application was set for a public hearing before the Planning Commission on October 15, 1979, in the City Council Chambers, City Hall, 801 11th Street, Modesto, California, and

WHEREAS, thereafter the Planning Commission adopted Resolution No. 79-268 denying an amendment to Section 12-3-8 of the Zoning Map to reclassify from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(253) the above described property, as requested by the applicant, and

WHEREAS, an appeal was filed by Mid-Valley Engineering on behalf of R. T. Hughes Company with the City Council by a letter dated October 23, 1979, to the decision of the Planning Commission denying an amendment to Section 12-3-8 of the Zoning Map to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(253) to allow a retail commercial development on property located at the northwest corner of Standiford Avenue and Prescott Road in the City of Modesto, described above, and

WHEREAS, said appeal was set for public hearing before the City Council at its regular meeting place located in the Council Chambers in the City Hall, 801 11th Street, Modesto, California, at 4:00 o'clock p.m. on December 4, 1979, and thereafter continued to December 11, 1979 at 7:30 p.m., and December 18, 1979 at 4:00 o'clock p.m., at which times evidence both oral and documentary was taken and introduced, and

WHEREAS, the City Council certifies it has received and reviewed the findings of the City of Modesto Environmental Assessment Committee which resulted in a negative declaration in regard to the environmental impact of the subject project, and

WHEREAS, after said public hearing, the Council of the City of Modesto found and determined that the rezoning as requested by R. T. Hughes Co. to amend Section 12-3-8 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(253) should be granted for the reasons set forth below, and by motion, directed the staff to prepare the necessary documents to grant the rezoning:

1. Because of the limited size, it is not feasible to develop the subject parcel for residential uses.

2. The triangular configuaration of the subject parcel does not lend itself to other than commercial development.

3. Commercial zoning of the subject parcel, which is less than one net acre in size, is not inconsistent with the General Plan and the McKinney Colony Neighborhood Zoning and Development Plan,

and

WHEREAS, at its meeting held on December 18, 1979, the Council has introduced Ordinance No. 1905 C. S. reclassifying the above-described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(253),

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the appeal filed by Mid-Valley Engineering on behalf of R. T. Hughes Co. to the decision of the Planning Commission denying its request for an amendment to Section 12-3-8 of the Zoning Map to reclassify the above described property from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(253) should be granted for the reasons set forth above; that the following development plan is hereby approved for said Planned Development Zone, P-D(253); and the decision of the Planning Commission denying said rezoning is hereby overruled.

BE IT FURTHER RESOLVED as follows:

SECTION 1. DEVELOPMENT PLAN. The development plan for Planned Development Zone, P-D(253) is hereby approved in accordance with the plan titled "Standiford Commercial R. T. Hughes Co." as amended in red, stamped approved by the Planning Commission on December 5, 1979, and on file in the office of the Director of Planning and Community Development, subject to the following conditions:

1. All development shall conform to the above entitled plan which is on file in the office of the Director of Planning and Community Development.

2. Prior to the issuance of a building permit, a landscaping and irrigation plan shall be submitted to and approved by the Director of Parks and Recreation. Landscaping and the irrigation system shall be installed and maintained in accordance with the plan. Irrigation shall be by underground sprinkler system.

3. Prior to occupancy of the premises, a six-foot high chain link fence shall be constructed along the northwest boundary of the property as shown on the approved plan.

4. All landscaping, fences, and walls shall be maintained and the premises shall be kept free of weeds, trash, and other debris.

5. The developer shall dedicate sufficient right-of-way to complete Prescott Road and Standiford Avenue to major street standards as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

6. The developer shall improve Prescott Road and Standiford Avenue to major street standards as required by the Director of Public Works prior to occupancy or upon demand by the City, whichever occurs first.

7. Prior to issuance of a building permit, street improvement plans for the required street improvements shall be prepared by a registered civil engineer and submitted to the Director of Public Works for approval. All public improvements shall be constructed in accordance with the approved plans.

8. Prior to occupancy, the developer shall construct full sidewalk on the Prescott Road and Standiford Avenue frontages as required by the Director of Public Works.

9. Prior to the issuance of a building permit the developer shall dedicate public utility easements as required by the utility companies and the Director of Public Works.

10. Irrigation lines shall be removed or relocated as required by the Modesto Irrigation District and the Director of Public Works. Appropriate easements for irrigation lines to remain shall be dedicated as necessary.

11. All parking and driveway areas shall be improved in accordance with City standards. Drainage shall be provided in accordance with the requirements of the Director of Public Works.

12. The development shall be connected to public water and sewer facilities as required by the Director of Public Works.

13. All trash shall be maintained within buildings or in fully enclosed trash areas in locations approved by the Director of Planning and Community Development. Trash enclosures shall be constructed of the same building materials used in the major buildings or of decorative masonry as determined by the Director of Planning and Community Development.

14. All signs shall comply with the sign requirements of the H-1 Zone.

15. Prior to the issuance of a building permit, the developer shall pay the City of Modesto the cost of planting street trees along the property's street frontage(s) with the number of trees to be determined by the Director of Public Works.

16. All curbcuts serving two-way driveways shall be widened to 41 feet in width.

17. The gas pump island shall meet the specifications of the Fire Chief.

18. The developer shall pay the City of Modesto a share of the estimated cost of constructing the Prescott Road crossing of M.I.D. Lateral No. 7 as required by the Director of Public Works.

19. Direct vehicular and pedestrian access to M.I.D. Lateral No. 7 shall be prohibited.

20. The developer shall pay the cost of moving the existing irrigation box near the southeast corner of the development.

SECTION 2. DEVELOPMENT SCHEDULE. The following development schedule is hereby approved for said Planned-Development Zone, P-D (253):

> The entire construction program shall be accomplished in one phase, construction to begin on or before March 1, 1981, and completion to be not later than March 1, 1982.

SECTION 3. CHANGES IN DEVELOPMENT PLAN. Any changes in the above-mentioned development plan shall be made in accordance with the provisions of Section 10-2.2708 of the Modesto Municipal Code,

SECTION 4. COMPLIANCE WITH CODE PROVISIONS ETC. In all other respects said planned development shall be accomplished in accordance with and in strict adherence to the provisions of Article 27 of Title X of the Modesto Municipal Code relating to Planned-Development Zones and other applicable City laws, rules, regulations and procedures.

SECTION 5. EFFECTIVE DATE. This resolution shall not become effective unless and until the ordinance reclassifying the above-described property to Planned-Development Zone, P-D (253) becomes effective.

SECTION 6. ENVIRONMENTAL IMPACT. The Secretary of the Planning Commission is hereby directed to file with the Stanislaus County Clerk a Notice of Determination in regard to the environmental impact of the proposed project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Kullijian, who moved its adoption, which motion being duly seconded by Councilmember Elliott, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore

NOES: Councilmembers: Siefkin, Mayor Mensinger

ABSENT: Councilmembers: None

(SEAL)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By William S. Nicholas
Department of Planning and Community Development

RSC

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1299

A RESOLUTION AUTHORIZING FILING APPLICATION FOR FEDERAL AND STATE GRANTS FOR PUBLICLY OWNED WASTEWATER TREATMENT FACILITY IMPROVEMENTS/ADDITIONAL AERATION AT THE OXIDATION PONDS AND PROVIDING CERTAIN ASSURANCES

BE IT RESOLVED by the City Council that the City Manager is hereby authorized and directed to sign and file, for and on behalf of the City of Modesto, an application for Federal assistance under the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.) and any agreements or other documents necessary to secure and receive a grant under said act and a state grant under the Clean Water Bond Law of 1970 and/or 1974 for construction of wastewater treatment works.

BE IT RESOLVED that the City of Modesto hereby agrees and further does authorize the aforementioned representative to certify that if grants for its project are made pursuant to the aforementioned federal and state statutes, it will comply with all applicable state and federal statuatory and regulatory requirements, including but not limited to the Assurances contained in the Federal Grant Application and the State Grant Contract, the Freedom of Information Act, 5 U.S.C. 552 as amended relating to the right of the public to obtain information and records, the National Historic Preservation Act of 1966, U.S.C. 470 et seq., as amended, relating to the preservation of historic landmarks, the Copeland (Anti-Kickback)Act, 18 U.S.C. 874, 40 U.S.C. 276c and the regulations issued thereunder, 29 CFR 3.1 et seq., and the Contract Work Hours and Safety Standards Act, 40 U.S.C. 327 et seq., and the regulations issued thereunder.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1300

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND VARIANT INVESTMENTS FOR REIMBURSEMENT OF LATERAL SEWER COSTS

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Variant Investments for reimbursement of lateral sewer costs in Vintage Drive be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: _____
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1301

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE CITY OF CERES FOR SEWER SERVICE TO THE NORTH CERES SEWER SERVICE AREA

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and The City of Ceres **for** sewer service to the north Ceres sewer service area **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1302

A RESOLUTION ESTABLISHING SEWER SERVICE CHARGES.

WHEREAS, Section 5-6.02 of the Modesto Municipal Code authorizes the Council, by resolution, to establish sewer service charges,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

SECTION 1. DEFINITIONS. Unless the context requires a different meaning, for the purposes of this resolution the definitions set forth in Section 5-6.01 of Chapter 6 of Title V of the Modesto Municipal Code entitled "DEFINITIONS" shall apply.

SECTION 2. SEWER SERVICE CHARGES FOR RESIDENTIAL SERVICE. Each person owning property within the sewer district and receiving residential sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after February 1, 1979:

(a) The monthly sewer service charges for dwelling units, mobile homes and mobile home spaces in mobile home parks connected or required to be connected to the sewage system shall be:

Each single-family dwelling or mobile home on a lot	$2.35
Each dwelling unit in a duplex	1.70
One additional dwelling unit or mobile home on a lot	1.70
Each dwelling unit in an apartment building or dwelling group or mobile home space in a mobile home park	1.30

(b) In areas outside the Sewer District, the monthly sewer service charges for dwelling units or mobile homes or mobile home spaces in a mobile home park shall be at the rate of 135% of the charges set forth above.

(c) For dwelling units or mobile homes required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewer service charges set forth in subsection (a) above, there shall be an additional charge of One and no/100ths ($1.00) Dollar per month per premises to cover the costs of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

SECTION 3. SEWER SERVICE CHARGES FOR COMMERCIAL SERVICE. Each person owning property within the sewer district and receiving commercial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after January 1, 1979:

(a) Commercial users (including churches) shall be grouped according to Biochemical Oxygen Demand (hereinafter referred to as B.O.D.) and Suspended Solids (hereinafter referred to as S.S.) strength characteristics and shall pay sewer service charges based on 65% of the quantity of water used measured in gallons and the waste strength characteristics measured in milligrams per liter (hereinafter referred to as mg/l). The Director of Public Works shall determine the waste strength characteristics of commercial users and assign them to one of the following commercial users groups:

	Sewer Service Charges Per 1000 Gals. of Water Used
Group 1 Combined B.O.D. and S.S. measured in mg/l is 400 mg/l or less	17.9¢
Group 2 Combined B.O.D. and S.S. measured in mg/l is in the range of 401 mg/l to 900 mg/l.	19.9¢
Group 3 Combined B.O.D. and S.S. measured in mg/l is in the range of 901 mg/l to 1400 mg/l.	24.0¢
Group 4 Combined B.O.D. and S.S. measured in mg/l is over 1401 mg/l.	28.0¢

(b) Sewer service charges for commercial users outside the Sewer District shall be at the rate of 135% of the charges set forth in subsection (a) above.

(c) Notwithstanding the charges set forth in subsections (a) and (b) above, there shall be a minimum $2.00 per month sewer service charge for commercial users.

(d) For commercial users required to be connected to the sewage system, but which have not been connected to said system, in addition to the sewage service charges set forth in subsection (a) above, there shall be an additional charge of One and 50/100ths ($1.50) Dollars per month to cover the costs of inspections to insure that the continued use of septic tanks does not cause a health hazard or nuisance.

(e) Commercial users shall have all water used on the premises metered in order to determine the users' sewer service charges.

(1) Commercial users on a public water system other than the City's shall obtain a metered water service from the water purveyor and shall pay the sewer service charge which would be made were such water from the City's water system.

(2) Commercial users not connected to a public water system shall allow the City to furnish, install and maintain a water meter with the user to pay for the cost of the meter and installation plus ten (10) percent. The user shall pay the sewer service charge which would be made were such water from the City's water system. Authorization shall be granted to City from user to install, read and maintain said meter by user executing an agreement on a form furnished by the Director of Public Works.

(f) In the case of existing meters which are under the ownership of users, the City will assume responsibility for maintenance of such meters upon:

(1) Receipt of transfer of title from the owner in a form satisfactory to the Director of Public Works; and

(2) Authorization being granted to City for reading and maintaining the meter as set forth in paragraph (e) above.

SECTION 4. SEWER SERVICE CHARGES FOR INDUSTRIAL SERVICE. Each person owning property within the sewer district and receiving industrial sewer service shall pay a sewer service charge to the City in accordance with the following rates for the period commencing on and after January 1, 1979:

(a) The monthly sewer service charges for industrial users shall be at the rate of $165.00 per million gallons of flow based on either sewage discharge or water used.

(b) If the Biochemical Oxygen Demand (B.O.D.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $15.00 per one thousand (1000) pounds of B.O.D. will be made for the B.O.D. in excess of two hundred (200) mg/l.

(c) If the Suspended Solids (S.S.) of the industrial waste is over two hundred (200) mg/l, then an additional charge of $15.00 per one thousand (1000) pounds of S.S. will be made for the S.S. in excess of two hundred (200) mg/l.

(d) Notwithstanding the charges set forth in subsections (a), (b), and (c) above, there shall be a minimum $10.00 per month sewer service charge.

(e) In those cases where an industrial user has elected to install an effluent metering device to measure industrial waste and has an unmetered connection for disposal of sanitary sewage, the Director of Public Works may establish an estimated volume of sanitary sewage. The estimated volume shall be based upon the number and usage of plumbing fixture units contributing to the system and any other available information that indicates the volume of sanitary sewage. The quantity of flow thus estimated shall be added to the volume of industrial waste passing through the effluent meter and monthly sewer service charges shall be based upon the total volume.

(f) Sewer service charges for industrial users outside the sewer district shall be at the rate of 135% of the charges set forth in subsections (a), (b), (c), (d) and (e) above.

SECTION 5. PREPAID SEWER SERVICE CHARGES. Any person who has prepaid sewer service charges for residential sewer service and the period for which said sewer service charges were prepaid includes period covered by Section 2 of this resolution shall be entitled to receive sewer service for said period for the prepaid rates.

SECTION 6. SUPERCEDES PRIOR RESOLUTION. This resolution supercedes Modesto City Council Resolution No. 78-1278.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1303

A RESOLUTION APPROVING APPROPRIATION TRANSFER OF $25,000 FROM GENERAL RESERVE FOR CONSTRUCTION OF A SEWAGE MEASURING STATION AT SOUTH 9TH STREET

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60 800 212)	$25,000
TO:	P/W Sewerage (6566 520 212)	$25,000

Provides for the construction of a sewage measuring station at South 9th Street and Hosmer Road to measure flows from the North Ceres Sewer Service Area.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, 19**79**, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1304

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND ELWIN YOUNG, JR., AND SUSAN YOUNG FOR THE LEASE OF GOLDSWORTHY PARK SITE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Elwin Young, Jr., and Susan Young **for** the lease of Goldsworthy Park site on a month-to-month tenancy

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1305

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND BENJAMIN L. AND JO ANN ZAKARIAN FOR THE PURCHASE OF THEIR 0.63± ACRE LOT AND 2,109± SQUARE FOOT HOUSE

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Benjamin L. and Jo Ann Zakarian **for** the purchase of their 0163± acre lot and 2,109± square foot house, needed for the Airport Neighborhood Park **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, **19**79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1306

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND REUEL C. BARNES AND WANTA J. BARNES FOR FORMER SOMMERFELD HOUSE IN DRY CREEK PARK

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Reuel C. Barnes and Wanda J. Barnes for former Sommerfeld House in Dry Creek Park, on a month-to-month tenancy

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1307

A RESOLUTION ORDERING THE COLORADO-SOUTH GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Colorado-South Annexation in the County of Stanislaus requesting annexation of the Colorado-South Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 28, 1979 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Colorado-South Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Burbank-Paradise Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Colorado-South Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Burbank-Paradise Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED THAT THE City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved, and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption,

which motion being duly seconded by Councilmember Muratore,

was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ron Campbell
Public Works Department

COLORADO-SOUTH GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 5, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of SUNSET ACRES NO. 2 ANNEXATION (41) as per description filed December 12, 1950, as Instrument 29350, Stanislaus County Records, said point being on the Township Line between Township 3 South and Township 4 South, which is the Southern Boundary of the Original Corporate Limits of the City of Modesto, also being the intersection of the center line of 60 foot South Avenue and the Eastern line of 60 foot Colorado Avenue;

1. thence along the existing City Limits on the Eastern line of said ANNEXATION (41) and the Eastern line of said Colorado Avenue, South 00° 03' 00" East, 264.00 feet, to the Southwestern corner of said ANNEXATION (41);

2. thence leaving the existing City Limits and continuing along said Eastern line of Colorado Avenue, South 00° 03' 00" East, 66.00 feet, to the Easterly extension of the Southern line of the Northern half of Lot 13, of the SUNSET ACRES TRACT as per map filed January 14, 1911, in Volume 5 of Maps, Page 25, Stanislaus County Records;

3. thence along said Easterly extension and said Southern line, South 89° 45' 00" West, 360.00 feet, to the Western line of said Lot 13;

4. thence along said Western line, North 00° 03' 00" West, 66.00 feet, to the Northwestern corner of said Lot 13;

5. thence along the Northern line of said Lot 13, North 00° 03' 00" West, 165.00 feet, to the Southwestern corner of Lot 8 of SUNSET ACRES TRACT;

6. thence along the Western line of said Lot 8, North 00° 03' 00" West, 264.00 feet, to the aforementioned Original Corporate Limits and Township Line, and center line of 60 foot South Avenue;

7. thence along the existing City Limits and said Township Line and center line of South Avenue, North 89° 45' 00" East, 195.00 feet, to the point of beginning, containing 1.727 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1308

A RESOLUTION ORDERING THE RENO AVENUE NO. 2 GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Reno Avenue No. 2 Annexation in the County of Stanislaus requesting annexation of the Reno Avenue No. 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 28, 1979 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Reno Avenue No. 2 Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Woodland Avenue Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District; and that the territory be subject to the bonded indebtedness of the Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Reno Avenue No. 2 Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Woodland Avenue Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED THAT THE City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved, and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption,

which motion being duly seconded by Councilmember Muratore,

was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By
Public Works Department

RENO AVENUE NO. 2
GOVERNMENTAL REORGANIZATION

All that real property in the State of California, County of Stanislaus, being a portion of the Northwest quarter of Section 30, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwestern corner of the RENO AVENUE ANNEXATION (401), as per description filed May 7, 1979 as Instrument 70630, Stanislaus County Records;

1. thence along the existing City Limits and the Southern line of said ANNEXATION (401), South 89° 49' 10" East, 423.54 feet, to the Southeastern corner of said ANNEXATION (401), said corner being on a Western line of KANSAS AVENUE NO. 2 ANNEXATION (397), as per description filed March 23, 1979 as Instrument 59988, Stanislaus County Records, said corner also being on the center line of 40 foot Reno Avenue;

2. thence continuing along the existing City Limits on a Western line of said ANNEXATION (397), and said center line of Reno Avenue, South 00° 53' 15" East, 360.45 feet;

3. thence continuing along the existing City Limits on a Southwestern line of said ANNEXATION (397), and said center line of Reno Avenue, South 54° 27' 45" East, 12.52 feet;

4. thence leaving the existing City Limits along the center line of 60 foot Franzia Court, South 29° 18' 41" West, 47.22 feet, to the Easterly extension of the Southern line of the property conveyed to Patrick K. Gosselin, Sr., et ux, by deed recorded February 23, 1977, in Volume 2884, Page 337, Stanislaus County Records;

5. thence along said Easterly extension and Southern line of said Gosselin property, North 89° 50' 19" West, 380.44 feet, to a Western line of said Gosselin property;

6. thence along said Western line, North 00° 54' 49" West, 228.42 feet, to a point on a Southern line of Parcel 4, as recorded in Volume 4 of Parcel Maps, at Page 84, Stanislaus County Records;

7. thence along said Southern line, North 83° 30' 25" West, 29.56 feet, to the Southwestern corner of said Parcel 4;

8. thence along a Western line of said Parcel 4, North 00° 53' 15" West, 177.41 feet, to the point of beginning, containing 3.820 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1309

A RESOLUTION ORDERING THE BLUE GUM-MORSE GOVERNMENTAL REORGANIZATION TO THE CITY OF MODESTO WITHOUT NOTICE, HEARING, OR ELECTION.

WHEREAS, a petition signed by all of the owners of land residing within that certain territory known as the Blue Gum-Morse Annexation in the County of Stanislaus requesting annexation of the Blue Gum-Morse Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by Resolution dated November 28, 1979 approved said annexation to the City of Modesto upon condition that it be processed as a Governmental Reorganization pursuant to the provisions of Division 1 of Title 6 of the Government Code of the State of California, and designated said Governmental Reorganization the Blue Gum-Morse Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that said Governmental Reorganization consist of (a) the annexation of said territory to the City of Modesto; (b) the detachment of said territory from the Woodland Avenue Fire Protection District; and (c) the annexation of said territory to the Modesto Municipal Sewer District, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution ordered that a negative declaration be filed as to the environmental effect of the subject Governmental Reorganization, and

WHEREAS, the Stanislaus County Local Agency Formation Commission by said resolution designated the City of Modesto as the conducting authority for said Governmental Reorganization and authorized the Council of the City of Modesto to proceed without notice, hearing or election pursuant to section 56261 of the Government Code of the State of California.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto as follows:

1. All requirements of the District Reorganization Act of 1964, as amended, have been complied with.

2. That the area or territory designated as the Blue Gum-Morse Governmental Reorganization is more particularly described as attached hereto and made a part hereof by reference as though set forth in full herein.

3. Said territory is hereby annexed to and made a part of the City of Modesto.

4. Said territory is hereby detached from the Woodland Avenue Fire Protection District.

5. Said territory is hereby annexed to the Modesto Municipal Sewer District No. 1. Said territory shall be subject to the authorized or existing bonded indebtedness of the Sewer District.

BE IT FURTHER RESOLVED THAT THE City Clerk of the City of Modesto is hereby directed to immediately make, under the seal of said City of Modesto, a certified copy of this resolution, stating the date of its passage and to obtain such further documentation as is required by law. The City Clerk is further directed to transmit the aforesaid documents to the Executive Officer of the Stanislaus County Local Agency Formation Commission together with a payment of all fees required by section 56450 of the California Government Code.

BE IT FURTHER RESOLVED that pursuant to section 56454 of the California Government Code, this Governmental Reorganization shall be effective on the date of execution of the certificate of completion by the Executive Officer of the Stanislaus County Local Agency Formation Commission.

BE IT FURTHER RESOLVED that the negative declaration as to the environmental impact of this Governmental Reorganization is hereby approved, and that the Director of Planning and Community Development of the City of Modesto is hereby directed to file or cause to be filed with the Stanislaus County Clerk a Notice of Completion in regard to the environmental impact of said Governmental Reorganization.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 19 79, by Councilmember Lang, who moved its adoption,

which motion being duly seconded by Councilmember Muratore,

was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ken Campbell
Public Works Department

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 24, Township 3 South, Range 8 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Northwestern corner of BLUE-GUM ADDITION (333), as per description filed June 12, 1975 as Instrument 48200, Stanislaus County Records, said point being on the East-West quarter line of Section 24 and also being on the center line of a 40 foot public road known as Blue Gum Avenue;

1. Thence along the existing City Limits on the Western line of ADDITION (333), South 01° 00' 24" East, 1324.38 feet, to the Southwestern corner of said ADDITION (333);

2. Thence leaving the existing City Limits, South 88° 37' 00" West, 676.32 feet, to the West line of Section 24, said line also being the center line of a 40 foot public road known as Morse Road;

3. Thence along said center line and section line, North 00° 59' 00" West, 1323.81 feet, to the West quarter corner of Section 24, said corner being on the center line of a 20 foot public road known as Blue Gum Avenue;

4. Thence along said center line and the East-West quarter line of Section 24, North 88° 34' 00" East, 675.79 feet, to the point of beginning, containing 20.550 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1310

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS CROWS LANDING-WHITMORE ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Crows Landing-Whitmore Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated November 28, 1979, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioners requesting said annexation as set forth in the application filed with the Commission are:

Name	Address
Gerrit Vander Pol	P. O. Box 1212, Modesto, CA 95353
Martin Teunissen	7762 E. West Ripon Rd., Manteca, CA 95336

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Crows Landing-Whitmore Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 5th day of February, 19 80, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN I. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Ross Campbell
Public Works Department

STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION

RESOLUTION

A RESOLUTION APPROVING THE CROWS LANDING-WHITMORE ANNEXATION TO THE CITY OF MODESTO

WHEREAS, the Commission has conducted a public hearing on the proposed Crows Landing-Whitmore Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the approval of the proposal would not have a significant effect on the environment; (b) the proposal is consistent with all applicable local general plans; (c) the annexation area is planned for and committed to urban development; and (d) the territory involved in the proposal is uninhabited under the provisions of the Municipal Organization Act of 1977;

2. Order that a Negative Declaration be issued on the proposal;

3. Designate the proposal as the Crows Landing-Whitmore Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

EXHIBIT A

(Resolution continued)

The above resolution was introduced by Commissioner Cannella, who moved its adoption, at a regular meeting of the Stanislaus County Local Agency Formation Commission held on November 28, 1979. The motion, being duly seconded by Commissioner Garcia was approved, and the resolution adopted, by the following vote:

AYES: Commissioners Garcia, Cannella and Draper.

NOES: None.

ABSENT: Commissioners Ulm, Logsdon and Simon.

ABSTAINING OR DISQUALIFIED: Commissioner Condit - abstaining.

ATTEST:

Curtis R. Coad
Assistant Executive Officer

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

We feel this is the best possible use for this property and are presently under construction with our own company's new headquarters building on this site. (photos are attached)

We, further are convinced that a development of this type will precipitate orderly development of the surrounding area. The results will benefit the community in the form of more permanent jobs, tax revenues, as well as rehabilitation of some less desirable facilities of varying kinds in the general area.

The esthetic and environmental quality of this area will be greatly improved as a direct result of this development.

Our conceptual programs call for stringent and orderly control of all visual phases of this project. This will effect the maximum benefit both to ourselves, as well as the community as a whole.

Sincerely,

Gerrit Vander Pol

EXHIBIT B

IX. ENVIRONMENTAL ASSESSMENT

[All proposals submitted to LAFCO are subject to the provisions of the California Environmental Quality Act of 1970. This law, which is complex, basically requires LAFCO to assess the environmental impact of the annexation proposals which are submitted to it. The first step in the assessment process is the completion of an Initial Study. This is the responsibility of the applicant. The questions set forth below, and elsewhere in the application, constitute the Initial Study.

The Initial Study is reviewed by the Stanislaus County Environmental Review Committee, which has to determine whether an Environmental Impact Report (EIR) will have to be prepared on the project. If an EIR is required, LAFCO's consideration of the annexation proposal could be delayed for approximately 60 days. Therefore, it is essential that the Initial Study be carefully prepared. Inaccurate or superficial responses to the following questions could result in the refusal of the Executive Officer to accept the application for annexation.

In some cases, the city to which annexation is proposed--not LAFCO--is responsible for conducting the environmental assessment. One such case is when the city has prezoned the land involved in the annexation. If the city is the "lead agency," the applicant need not answer the following questions. It is recommended that the applicant contact the subject city or the LAFCO assistant executive officer to determine whether LAFCO or the city is the "lead agency."]

A. Please answer the following questions concerning the proposed annexation's possible effects.

Could the project--	Yes	No	If yes, discuss degree of effect.
1. affect climate?		X	
2. affect local or regional air quality?		X	
3. have substantial effects on, or be affected by, ambient noise levels?		X	
4. remove prime soils?		X	
5. remove land from agricultural use?		X	
6. increase erosion or cause siltation?		X	

CROWS LANDING-WHITMORE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the South half of Section 8, Township 4 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southwest corner of the CROWS LANDING ROAD ANNEXATION (393), as per description filed January 25, 1979, as Instrument 47065, Stanislaus County Records, said point being the Southeast corner of the RUTHERFORD TRACT, as per map recorded March 19, 1947, in Volume 16 of Maps, at Page 37, Stanislaus County Records;

1. thence continuing along the existing City Limits and a Southern line of said ADDITION (393), South 89° 20' 00" East, 1369.60 feet;

2. thence continuing along the existing City Limits along said ADDITION (393), North 00° 02' 00" East, 120.00 feet;

3. thence continuing along the existing City Limits and a Southern line of said ADDITION (393), South 89° 20' 00" East, 660.00 feet, to the East line of Section 8;

4. thence leaving the existing City Limits and continuing along the East line of Section 8, South 00° 02' 00" East, 1433.95 feet, to the center line of Whitmore Avenue and the Southeast corner of Section 8;

5. thence continuing along the center line of Whitmore Avenue, North 89° 30' 30" West, 2959.82 feet to the Southerly extension of the Western line of the property conveyed to Herman Van Rys and Janet Van Rys, Cornelius Ray Van Rys and Stuart Herman Van Rys, as per deed filed June 3, 1974, as Instrument 47741, Stanislaus County Records;

6. thence North along said Western line, North 00° 06' 00" East, 1322.95 feet, to a point on the South line of said Rutherford Tract;

7. thence continuing along the South line of said tract, South 89° 20' 30" East, 926.80 feet, to the point of beginning, containing 91.355 Acres, more or less.

EXHIBIT C

Name	Address
Jack H. Clark	605 Chicago Avenue, Modesto, CA
Dean Russell Inc.	1029 McHenry Avenue, Modesto, CA

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as _____ Chicago Avenue Annexation to the City of Modesto _____, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 5th day of February, 19 80, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn L. Johnson
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By Roger Campbell
Public Works Department

STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION

RESOLUTION

A RESOLUTION APPROVING THE CHICAGO AVENUE ANNEXATION TO THE CITY OF MODESTO

WHEREAS, the Commission has conducted a public hearing on the proposed Chicago Avenue Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the approval of the proposal would not have a significant effect on the environment; (b) the proposal is consistent with all applicable local general plans; (c) the annexation area is planned for and committed to urban development; and (d) the territory involved in the proposal is uninhabited under the provisions of the Municipal Organization Act of 1977;

2. Order that a Negative Declaration be issued on the proposal;

3. Designate the proposal as the Chicago Avenue Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

EXHIBIT A

(Resolution continued)

The above resolution was introduced by Commissioner Condit, *who moved its adoption, at a regular meeting of the Stanislaus County Local Agency Formation Commission held on* November 28, 1979. *The motion, being duly seconded by Commissioner* Cannella *was approved, and the resolution adopted, by the following vote:*

AYES: Commissioners Condit, Cannella, Garcia and Draper.

NOES: None.

ABSENT: Commissioners Ulm, Logsdon and Simon.

ABSTAINING OR
DISQUALIFIED: None.

ATTEST:

Curtis R. Coad
Assistant Executive Officer

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

The described parcel is now adjacent to the City of Modesto and there are residences in the immediate area.

The parcel of land has been dormant for years and at this time being used as a short cut for trespassers and occasional dumping of trash and litter.

We intend to improve the area with housing for lower and middle income families.

IX. ENVIRONMENTAL ASSESSMENT

[All proposals submitted to LAFCO are subject to the provisions of the California Environmental Quality Act of 1970. This law, which is complex, basically requires LAFCO to assess the environmental impact of the annexation proposals which are submitted to it. The first step in the assessment process is the completion of an Initial Study. This is the responsibility of the applicant. The questions set forth below, and elsewhere in the application, constitute the Initial Study.

The Initial Study is reviewed by the Stanislaus County Environmental Review Committee, which has to determine whether an Environmental Impact Report (EIR) will have to be prepared on the project. If an EIR is required, LAFCO's consideration of the annexation proposal could be delayed for approximately 60 days. Therefore, it is essential that the Initial Study be carefully prepared. Inaccurate or superficial responses to the following questions could result in the refusal of the Executive Officer to accept the application for annexation.

In some cases, the city to which annexation is proposed--not LAFCO--is responsible for conducting the environmental assessment. One such case is when the city has prezoned the land involved in the annexation. If the city is the "lead agency," the applicant need not answer the following questions. It is recommended that the applicant contact the subject city or the LAFCO assistant executive officer to determine whether LAFCO or the city is the "lead agency."]

A. Please answer the following questions concerning the proposed annexation's possible effects.

Could the project--	Yes	No	If yes, discuss degree of effect.
1. affect climate?		X	
2. affect local or regional air quality?		X	
3. have substantial effects on, or be affected by, ambient noise levels?		X	
4. remove prime soils?		X	
5. remove land from agricultural use?		X	
6. increase erosion or cause siltation?		X	

CHICAGO AVENUE ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southeast quarter of Section 31, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeastern corner of the BRIGGS-WHEATLEY ANNEXATION (394), as per description filed January 25, 1979, as Instrument 47066, Stanislaus County Records and the Southwestern corner of the BRIGGS AVENUE ANNEXATION (387), as per description filed October 30, 1978, as Instrument 28121, Stanislaus County Records; said point being the Northeastern corner of Lot 10 of BRICHMAN'S ADDITION, as per map recorded October 9, 1889, in Book 1 of Maps, Page 32, Stanislaus County Records;

1. thence along the Eastern line of said Lot 10, South 00° 31' 00" East, 496.68 feet, to the center line of 60.00 foot Chicago Avenue;

2. thence along said center line, North 89° 49' 00" West, 815.36 feet, to the Southerly extension of the Eastern line of the property conveyed to Jack Carter and Susie Carter, as per deed recorded May 25, 1979, as Instrument 75817, Stanislaus County Records;

3. thence along said Southerly extension and Eastern line of said Carter property, North 00° 31' 00" West, 496.68 feet to a point on the existing City Limits and the Southern line of ANNEXATION (394);

4. thence along the existing City Limits and Southern line of ANNEXATION (394), South 89° 49' 00" East, 815.36 feet, to the point of beginning, containing 9.296 Acres, more or less.

EXHIBIT C

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1312

A RESOLUTION INITIATING PROCEEDINGS FOR THE PROPOSED ANNEXATION OF UNINHABITED TERRITORY DESCRIBED HEREIN AND DESIGNATED AS STANDIFORD-CARVER NUMBER 2 ANNEXATION TO THE CITY OF MODESTO, AND GIVING NOTICE OF TIME AND PLACE FOR HEARING PROTESTS THERETO.

WHEREAS, pursuant to the provisions of Part 2 of Division 2 of Title 4 of the Government Code of the State of California, a petition signed by the owners of real property within territory in the County of Stanislaus requesting annexation of the Standiford-Carver Number 2 Annexation to the City of Modesto was filed with the Stanislaus County Local Agency Formation Commission for its consideration and approval, and said Stanislaus County Local Agency Formation Commission by resolution dated November 28, 19 79, determined that said territory is uninhabited and approved the initiation of proceedings for annexation of said uninhabited territory to the City of Modesto pursuant to the Government Code, a copy of which resolution is attached hereto as Exhibit A and made a part hereof by reference, and

WHEREAS, the terms and conditions of the proposed annexation, if any, are set forth in said resolution, and

WHEREAS, the reason or reasons for the proposed annexation in the proposal thereof submitted to the Commission are set forth in page 7 of the application, which page is attached hereto as Exhibit B and made a part hereof by reference, and

WHEREAS, the chief petitioner requesting said annexation as set forth in the application filed with the Commission is:

Name	Address
Elwin E. Young	3320 Royalton, Modesto, CA 95350
Doris A. Caster	3309 Carver Road, Modesto, CA 95350
Betty L. Bell	3309 Carver Road, Modesto, CA 95350

and

WHEREAS, the territory which the petitioners request be annexed to the City of Modesto and which said City and its Council propose to annex, is situated in the County of Stanislaus, State of California, and has been designated as Standiford-Carver Number 2 Annexation to the City of Modesto, the exterior boundaries of which are set forth in the description attached hereto as Exhibit C and made a part hereof by reference, and

WHEREAS, no change in school district boundaries shall be effected by reason of the annexation of the hereinafter described territory to the City of Modesto.

NOW, THEREFORE, BE IT RESOLVED AND NOTICE IS HEREBY GIVEN that the 5th day of February, 19 80, at the hour of 4:00 o'clock P.M. in the Council Chambers at the City Hall, located at 801 11th Street in the City of Modesto be and is hereby fixed as the time and place for considering said annexation, at which time and place any person owning real property within such territory and having any objections to the proposed annexation may appear before the Council of the City of Modesto and show cause why such territory should not be so annexed.

1. Any such protest must be in writing, must be filed with the City Clerk at any time before the conclusion of the hearing on the proposed annexation, and must give the name and address of the owner of real property within such territory with the description and area of such property, in general terms.

2. The City Clerk shall cause a copy of this resolution to be published at least twice, but not more often than once a week in The Modesto Bee, a newspaper

of general circulation, published in the City of Modesto and in the County of Stanislaus and being the official newspaper of the City of Modesto. Said publications shall be completed at least fifteen (15) days prior to the date set for the hearing.

3. The City Clerk of the City of Modesto shall also cause a copy of this resolution to be mailed to:

(a) Any person who has filed his name and address with the City Clerk and has requested such mailed notice;

(b) The chief petitioners, if any, as indicated in the petition initiating proceedings;

(c) To each affected city, county, and district; and

(d) To the executive officer of the Local Agency Formation Commission.

4. The City Clerk is directed to cause written notice to be given to such other persons as may be legally entitled thereto, in the manner required by law.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES: Councilmembers: Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger

NOES: Councilmembers: None

ABSENT: Councilmembers: None

ATTEST: _____
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
ELWYN L. JOHNSON, City Attorney

APPROVED AS TO DESCRIPTION:

By _____
Public Works Department

STANISLAUS COUNTY LOCAL AGENCY
FORMATION COMMISSION

RESOLUTION

A RESOLUTION APPROVING THE STANDIFORD-CARVER NUMBER 2 ANNEXATION TO THE CITY OF MODESTO

WHEREAS, the Commission has conducted a public hearing on the proposed Standiform-Carver Number 2 Annexation to the City of Modesto.

WHEREAS, notice of the said public hearing was given pursuant to Section 35055 of the California Government Code; and

WHEREAS, the Commission has, in evaluating the proposal, considered the report submitted by the Executive Officer and the factors set forth in Section 54796 of the California Government Code;

NOW, THEREFORE, BE IT RESOLVED that the Commission:

1. Find that: (a) the approval of the proposal would not have a significant effect on the environment; (b) the proposal is consistent with all applicable local general plans; (c) the annexation area is planned for and committed to urban development; and (d) the territory involved in the proposal is uninhabited under the provisions of the Municipal Organization Act of 1977;

2. Order that a Negative Declaration be issued on the proposal;

3. Designate the proposal as the Standiford-Carver Number 2 Annexation to the City of Modesto;

4. Approve the proposal as submitted; and

5. Designate the City of Modesto as the conducting authority, and direct its city council to initiate annexation proceedings.

Exhibit A

(Resolution continued)

The above resolution was introduced by Commissioner Cannella, who moved its adoption, at a regular meeting of the Stanislaus County Local Agency Formation Commission held on November 29, 1972. The motion, being duly seconded by Commissioner Condit, was approved, and the resolution adopted, by the following vote:

AYES: Commissioners Cannella, Condit, Garcia and Draper.

NOES: None.

ABSENT: Commissioners Ulm, Logsdon and Simon.

ABSTAINING OR
DISQUALIFIED: None.

ATTEST:

Curtis R. Coad
Assistant Executive Officer

VIII. PROPONENTS' STATEMENT

A. State the reason(s) why the proponent(s) feel the annexation should be approved. (Note: this statement or a synopsis of it, will be included in the written report which is submitted to LAFCO.)

This annexation should be approved as it conforms to the City's General Plan and growth pattern. It would allow influx growth eliminating a possible island.

STANDIFORD-CARVER NO. 2 ANNEXATION

All that real property in the State of California, County of Stanislaus, being a portion of the Southwest quarter of Section 7, Township 3 South, Range 9 East, Mount Diablo Base and Meridian, described as follows:

Beginning at a point on the existing City Limits as established by the Southeast corner of VENEMAN NO. 2 ADDITION (375), as per description filed June 27, 1978 as Instrument 82426, Stanislaus County Records, and the Southwest corner of STANDIFORD-SNYDER ADDITION (360), as per description filed September 20, 1977 as Instrument 18800, Stanislaus County Records, said point being on the West quarter corner of Section 7, and the center line of a 40.00 foot Standiford Avenue;

1. thence continuing along the existing City Limits, and along said center line and a southern line of said ADDITION (360), South 88° 19' 40" East, 1317.89 feet to a Southwestern corner of STANDIFORD-CARVER NO. 1 ADDITION (320), as per description filed September 12, 1974 as Instrument 10197, Stanislaus County Records;

2. thence along a Southern line of said ADDITION (320), South 88° 19' 40" East, 1320.16 feet, to a Western line of said ADDITION (320), which is also the centerline of 40.00 foot Carver Road;

3. thence along the existing City Limits, and along said centerline of Carver Road and a Western line of said ADDITION (320), South, 542.00 feet, to the Northwestern corner of MONTCLAIR NO. 3 ADDITION (274), as per description filed August 4, 1971 as Instrument 29022, Stanislaus County Records;

4. thence along the Western line of ADDITION (274), South, 400.10 feet, to the Northwestern corner of MONTCLAIR ADDITION (233), as per description filed June 2, 1969 as Instrument 19185, Stanislaus County Records;

5. thence along the Western line of said ADDITION (233), South 50.28 feet, to the Northwestern corner of CARVER-SHELDON ADDITION (361), as per description filed November 8, 1977 as Instrument 30227, Stanislaus County Records;

6. thence along the existing City Limits, and a Northern line of said ADDITION (361), North 88° 21' 00" West, 439.04 feet, to a point on the Eastern line of SHELDON ADDITION (335), as per description filed November 10, 1975 as Instrument 21364, Stanislaus County Records, said point being on the center line of 50.00 foot Janet Drive;

7. thence along the existing City Limits, and said centerline of Janet Drive and the Eastern line of said ADDITION (335) North, 193.66 feet;

8. thence along the existing City Limits, and the Northern line of said ADDITION (335), North 88° 20' 30" West, 944.95 feet;

9. thence along the existing City Limits, and a Western boundary of said ADDITION (335), and the centerline of Goldsworthy Ditch, the following courses and distances, South 40° 31' 54" East, 231.78 feet;

10. thence along a tangent curve which is concave to the Southwest, having a Central Angle of 57° 28' 12", a Radius of 196.98 feet, and an Arc Length of 197.58 feet;

11. thence South 16° 56' 18" West, 245.52 feet;

12. thence along a tangent curve which is concave to the Northwest, having a Central Angle of 2° 09" 35", a Radius of 122.06 feet, and an Arc Length of 4.60 feet, to a Northern corner of CARVER NO. 2 ADDITION (289), as per description filed May 16, 1972, as Instrument 19652, Stanislaus County Records, from which a radial line bears North 70° 54' 07" West;

13. thence along the existing City Limits, and a Northern line of said ADDITION (289), and the center line of Goldsworthy Ditch, the following courses and distances, along a said tangent curve which is concave to the Northwest, having a Central Angle of 34° 08' 07", a Radius of 122.06 feet, and an Arc Length of 72.72 feet;

14. thence South 53° 14' 00" West, 121.07 feet;

15. thence South 79° 04' 50" West, 700.97 feet;

16. thence South 39" 10' 00" West, 380.00 feet, to the Northern line of PRESCOTT NO. 2 ADDITION (231), as per description filed May 16, 1969 as Instrument 17227, Stanislaus County Records;

17. thence leaving the center line of said Goldsworthy Ditch along the existing City Limits, and a Northern line of said ADDITION (231), North 88° 20' 00" West, 304.20 feet, to an Eastern line of said ADDITION (231) and a point on the Township Line common to Section 7, Township 3 South, Range 9 East, and Section 12, Township 3 South, Range 8 East;

18. thence along the existing City Limits, and an Eastern line of said ADDITION (231), and along said Township Line, North 00° 02' 57" East, 661.62 feet, to a point at the Northeast corner of said ADDITION (231);

19. thence leaving the existing City Limits and continuing along said Township Line North 00° 02' 58" West, 1323.76 feet, to the point of beginning, containing 79.568 Acres, more or less.

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1313

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO TO P-D(76) (VIRGINIA BERG)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 3, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(76) to allow a 24-unit condominium conversion, property located on the southeast corner of Lucern Avenue and El Vecino;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No.79-307 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(76) of the Zoning Map be set for January 22, 1980, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1314

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(221) (HERRON AND SARINA)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 3, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(221) increasing the number of dwelling units from 135 to 142, property located west of Crows Landing Road, and south of Imperial Avenue;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-305 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(221) of the Zoning Map be set for January 22, 1980, at 7:30 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December , 19 79 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1315

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO P-D(131) (RULE ENTERPRISES)

WHEREAS, the Modesto City Planning Commission held a public hearing on December 3, 1979 , in the Council Chambers, City Hall, for the purpose of considering an amendment to P-D(131) to allow construction of a self-service gas pump island as an addition to the Rule-Dale Lincoln Mercury Dealership property located on the south side of Union Avenue, west of McHenry;

and

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-306 recommending to the Council that rezoning of the property described above is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to P-D(131) of the Zoning Map be set for January 15, 1980, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December , 1979 , by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1316

A RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING BEFORE THE COUNCIL OF THE CITY OF MODESTO ON A PROPOSED AMENDMENT TO SECTION 10-2.2106 OF THE ZONING ORDINANCE CONCERNING PLANNING COMMISSION'S EVENING MEETINGS

WHEREAS, the Modesto City Planning Commission held a public hearing on December 3, 1979, in the Council Chambers, City Hall, for the purpose of considering an amendment to Section 10-2.2106 of the Zoning Ordinance concerning Planning Commission's evening meetings, as follows:

SEC. 10-2.2106. TIME FOR HEARING. (a) The hearing by the Planning Planning Commission for any zone boundary change initiated under the provisions of Section 10-2.2102(a) shall be held at <u>one of</u> the Planning Commission's regularly scheduled evening meetings ~~of the month~~ or at a special evening meeting. ~~for amendments initiated not later than the 15th day of the previous month.~~ The Planning Commission after first having held a public hearing at an evening meeting as prescribed herein may continue the hearing to a ~~regular or~~ special afternoon or a <u>regular or special</u> evening meeting.

WHEREAS, said Planning Commission after hearing evidence both oral and documentary on the proposed amendment, adopted Resolution No. 79-308 recommending to the Council that amendment to Section 10-2.2106, described above, is required by public necessity, convenience and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that a public hearing on the proposed amendment to Section 10-2.2106 of the Zoning Ordinance be set for January 15, 1980, at 4:00 p.m., in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the proposed rezoning as recommended by the Modesto City Planning Commission.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th day of December, 1979, by Councilmember Lang , who moved its adoption, which motion being duly seconded by Councilmember Muratore , was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1317

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND TOWILL, INC. FOR UPDATING AERIAL MAPPING

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and Towill, Inc.

for updating aerial mapping of the City of Modesto and surrounding areas in conjunction with the 1980 Census

be, and it is hereby approved.

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, **19** 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1318

A RESOLUTION AMENDING THE FINAL BUDGET OF THE CITY OF MODESTO FOR THE FISCAL YEAR ENDING JUNE 30, 1980, TO PROVIDE FOR THE OPERATION OF A CAREER CRIMINAL APPREHENSION PROGRAM.

WHEREAS, the City of Modesto has entered into an agreement with the State of California Office of Criminal Justice Planning for grant funding in the amount of $106,864.00 to operate a Career Criminal Apprehension Program, and

WHEREAS, it is necessary to estimate grant revenues to be received during the current fiscal year and increase appropriations in the City of Modesto 1979-80 Final Budget,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Modesto that the 1979-80 Final Budget be amended as follows:

Estimated Revenues		Increase
Account 274.01-101	Federal Grant-CCAP	$77,696.00

Appropriation		Increase
Account 110-220-101	Salaries, Regular	$37,087.00
Account 429-220-101	Other Special Charges	1,253.00
Account 235-220-101	Service, Professional & Other	7,354.00
Account 301-220-101	Office Supplies	4,244.00
Account 5557-220-101	Desks, CCAP (4)	954.00
Account 5558-220-101	Chairs, CCAP (4)	180.00
Account 5559-220-101	Desk Ext., CCAP	75.00
Account 5560-220-101	Typewriter, CCAP	696.00
Account 5561-220-101	Cassette Transcriber, CCAP	370.00
Account 5562-220-101	Camera, 35mm SLR, CCAP (8)	5,046.00
Account 5563-220-101	Radio Stake Out Kit, CCAP (8)	10,094.00

BE IT FURTHER RESOLVED that the Director of Finance is hereby authorized to take the necessary steps to implement the provisions of this resolution.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto on the 18th day of December, 1979, by Councilmember Lang, who moved its adoption, which motion being duly seconded by Councilmember Muratore, was upon roll call carried and the resolution adopted by the following vote:

AYES:	Councilmembers:	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

(SEAL)

APPROVED AS TO FORM:

By Elwyn Johnson
ELWYN L. JOHNSON, City Attorney

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1319

A RESOLUTION APPROVING APPROPRIATION TRANSFER FROM AIRPORT FUND RESERVE TO AVIGATION EASEMENT ACCOUNT

BE IT RESOLVED by the Council of the City of Modesto that the following appropriation transfer(s) are approved:

FROM:	General Reserve (60-00 800 230)	$3,225
TO:	Airport Avigation Easement (6481-04 460 230)	$3,225

Agreement with Modesto Fruit Exchange relating to the above project was not encumbered prior to the close of the fiscal year 1978-79, nor was it re-budgeted for the current year. It is necessary now to appropriate funds in the fiscal year 1979-80 budget to provide for this approved project.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, 19 79, **by Councilmember** Lang, **who moved its adoption, which motion being duly seconded by Councilmember** Muratore, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MODESTO CITY COUNCIL
RESOLUTION NO. 79-1320

A RESOLUTION APPROVING AGREEMENT BETWEEN THE CITY OF MODESTO AND THE STATE OF CALIFORNIA AND COUNTY OF STANISLAUS TO INSTALL TRAFFIC SIGNALS AT THE YOSEMITE, RIVERSIDE DRIVE INTERSECTION

BE IT HEREBY RESOLVED by the Council of the City of Modesto that the agreement between the City of Modesto and the State of California, and County of Stanislaus **for** the installation of traffic signals at the Yosemite, Riverside Drive intersection **be, and it is hereby approved.**

BE IT FURTHER RESOLVED that the execution of said agreement by the designated city officials be authorized.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Modesto held on the 18th **day of** December, 19 79, **by Councilmember** Elliott, **who moved its adoption, which motion being duly seconded by Councilmember** Lang, **was upon roll call carried and the resolution adopted by the following vote:**

AYES:	**Councilmembers:**	Bright, Elliott, Kullijian, Lang, Muratore, Siefkin, Mayor Mensinger
NOES:	**Councilmembers:**	None
ABSENT:	**Councilmembers:**	None

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk