

MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, JANUARY 2, 1985, AT 4:00 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 6, 7, 8, 9

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

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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of December 21, 1984, and the December 26, 1984 regular City Council meeting.

ACTION: By motion, minutes approved.

(Clerk to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for the drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 46 located southeast of the intersection of Lincoln Oak Drive and Twin Oak Lane in the Orchard Neighborhood.
(Suggested bid opening: January 22, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,262 (contract \$22,062; engineering \$2,200); funds are budgeted.)

ACTION: Res. 85-1 adopted calling for bids.

(Eng. to handle)

CONSENT

4. Consider acceptance of George Reed, Inc.'s contract for the construction of Lakewood Park improvements. (original contract \$77,505)
(All work on this project has been completed to the satisfaction of the Engineering Department and also the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$80,480; funds are budgeted.)

ACTION: Res. 85-2 adopted accepting improvements as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

6. Consider approving agreement with Nunno Corporation, Ltd. for the placement of a demonstration portable hangar.
(Council recently approved a policy for the placement of portable hangars on the Airport. Council also authorized the concept of allowing two companies to place one hangar each on the existing ramp. This allows Nunno to place a demonstration hangar on the Airport for 180 days. They will pay the City \$36 per month. Resolution approving agreement needed.)

ACTION: Res. 85-3 adopted approving agreement.

(Utility Services to handle)

CONSENT

7. Consider approval of the final map of Monterey Village subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(Subdividers: CDS Development, Inc.)
(The subdivision agreement has been signed and all fees paid. Monterey Village is located at the southeast corner of Cheyenne Way and Prescott Road. It contains 5.128 acres. Resolution approving final map needed.)

ACTION: Res. 85-4 adopted approving final map.

(Clerk to handle)

CONSENT

- 8. Consider expanding Neighborhood Advisory Committee #3 from seven to eight members and appoint Ms. Kathy Burgin to Seat # 8. (Citizens Housing and Community Development Committee and the Neighborhood Advisory Committee #3 recommend Council approval of expansion and appointment of Ms. Burgin. Resolution expanding NAC #3 to eight members and appointing Ms. Burgin to Seat #8 needed.)

ACTION: Res. 85-5 adopted expanding NAC #3 and appointing new member. (Clerk to handle)

CONSENT

- 9. Extension of authorization for multiple family mortgage revenue bonds, Cape Cod Villas - Pan Builders. (On December 27, 1983, by Resolution No. 83-842 the Council authorized issuance of multiple family mortgage revenue bonds for Pan Builders, Inc. for a 226-unit project known as Cape Cod Villas located on Hatch Road between Crows Landing Road and Carpenter Road. A request has been received to extend this authorization for one year. Memo with agenda. Resolution extending authorization for multiple family revenue bonds for Pan Builders, Inc. (Cape Cod Villas project) for one year needed.)

ACTION: Res. 85-6 adopted extending authorization for multiple family revenue bonds for Pan Builders, Inc. (Planning to handle)

MISCELLANEOUS

10. Appointments

None

11.

MATTERS TOO LATE FOR THE AGENDA

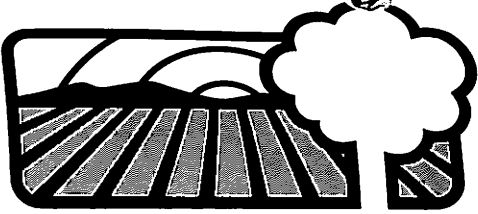
(These may be presented members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 4:04 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, January 8, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Ray Langley, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9

ACTION: (Muratore/Lang, unan.)

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1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced Scoutmaster David Hanson and members of Troop #133.

MINUTES

CONSENT

2. Approval of the minutes of the regular meeting of January 2, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ordinance No. 2306-C.S., relating to speed limits in the City of Modesto.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2306-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing concerning vacation and abandonment of Tenth Street between K and L Streets. Councilmember Whiteside and Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 85-7 adopted (Muratore/Lang, majority, Patterson-no, Whiteside and Mensinger absent) (Manager/Clerk to handle)

5. Hearing to consider an amendment to Sec. 21-3-9 of the Zoning Map to rezone from R-1 to P-D(366) to allow a combination health care facility and multi-story elderly housing complex, property located between East Orangeburg Avenue and Briggsmore Avenue, west of M.I.D. Lateral No. 4. (Region I Investments)

ACTION: By motion (Whiteside/Muratore, unan.) Ord. No. 2307-C.S. introduced.

Res. 85-8 adopted (same vote) approving plan.

Res. 85-9 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

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

None

NEW BUSINESS

CONSENT

7. Consider declaring the certain property as surplus to City needs and authorize the equipment to be sold at a public auction to be held January 19, 1985, at 210 Chestnut Street.
(The equipment, listed on Exhibit A with the agenda, is primarily old patrol and detective cars accumulated over the past year. Experience has shown that the vehicles sell equally well in both public auction or sealed bid process. Because of the large quantity of vehicles, an auction is recommended at this time. Resolution declaring property surplus and authorizing auction needed.)

ACTION: Res. 85-10 adopted declaring property surplus and authorizing auction. (Finance to handle)

CONSENT

- 8. Consider approving lease agreement with Robert D. and Catherine L. Banghart, dba Kay's Collectibles and Costume Rentals, for the City-owned building at 1904 H Street.
(This is a two-year renewal of an existing lease. Rent is increased to \$367.50 per month. All other terms remain the same. The City has the right in the second year of the lease to cancel the lease with 90 days notice. Resolution approving agreement needed.)

ACTION: Res. 85-11 adopted approving agreement. (Utility Services to handle)

CONSENT

- 9. Request to State Mortgage Bond Allocation Committee (SMBAC) for approximately a \$65 million supplementary allocation request for a 1985 Single Family Mortgage Revenue Bond.
(Memo with agenda. An issue, to be sold by the Central California Mortgage Authority (CCMA), is planned in February, March or April, 1985. Merced and Modesto are partners in the CCMA. They will be joined by the City of Atwater in this issue. Two resolutions needed.)

ACTION: Res. 85-12 adopted authorizing Manager to submit application to State Mortgage Bond Allocation Com. for authorization to issue mortgage revenue bonds.

Res. 85-13 adopted authorizing a single-family mortgage revenue bond issue in 1985 as a joint effort with Merced and Atwater through the CCMA.
(Planning to handle)

MISCELLANEOUS

- 10. Appointments - None

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

Councilmember Patterson was congratulated on the birth of a son on New Year's Day.

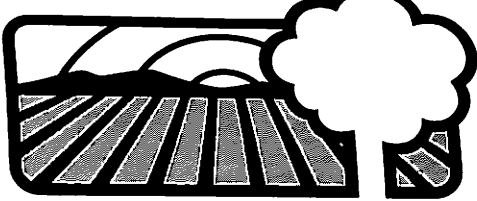
ADJOURNMENT

The meeting adjourned at 9:16 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 15, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. James Anderson, Christian Love Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 9, 10, 14, 15, 16,
18, 19, 20, 21, 22, 23, 24, 25, 26,
Removed from Consent: 17 27, 28, 29

ACTION: (Sutton/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger announced this evening there will be a special event at the King-Kennedy Center commemorating Martin Luther King's birthday.

MINUTES

CONSENT

2. Approval of the minutes of the regular meeting of January 8, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

3. Further consideration of transit service to Riverbank (AMTRAK). (Memo with agenda. The City Council Transportation Committee recommends that taxis replace the Dial-A-Ride van for the remainder of the term (to March 30, 1985) to save money. An agreement covering the taxi service would have to be worked out and the costs determined. Motion directing staff needed.)

ACTION: By motion (Sutton/Muratore, unan.) recommendation approved and staff directed to proceed with working out an agreement for the use of taxis. (P/T to handle)

4. Proposed low and very low income requirements for multi-family mortgage revenue bond projects. (On November 13, 1984, the City Council directed staff to prepare a policy of low and very low income requirements for typical and luxury MFMRB Apartment projects. The memo and report with the agenda contain staff recommendations. Resolution adopting Policy of Low and Very Low Income Requirements for Multi-Family Mortgage Revenue Bond (MFMRB) project needed.)

ACTION: Res. 85-14 adopted (Whiteside/Sutton, unan.) to approve the policy staff originally recommended, without specific amounts stated. (Planning to handle)

CONSENT

5. Consider final adoption of Ordinance No. 2307-C.S. rezoning from R-1 to P-D(366) to allow a combination health care facility and multi-story elderly housing complex, property located between East Orangeburg Avenue and Briggsmore Avenue, west of M.I.D. Lateral No. 4 (Region I Investments). (Motion adopting needed.)

ACTION: By motion, Ordinance No. 2307-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider proposed issuance of multiple-family mortgage revenue bonds for Shadowbrook Investments for a project located at Standiford Avenue and Hahn Drive, and consideration of lower-income housing requirements in connection with the bond issue. (Continued from the December 4, 1984, meeting.)

ACTION: Res. 85-15 adopted (Whiteside/Patterson, unan.) to approve and to include the 10% very low income requirement. (Planning to handle)

7. Hearing concerning adoption of conflict of interest code of the Office of Economic Development and amendment of conflict of interest code of the Engineering Service Department.

ACTION: Res. 85-16 adopted (Muratore/Bright, unan.) approving Economic Development Code. Res. 85-17 adopted (same vote) approving amendment to Engineering Services Code. (Clerk to handle)

8. Hearing to consider appeal by Gordon Hart on behalf of Belco Development and Investment Co., to a Planning Commission decision regarding rezoning from R-1 to P-D, the northwest corner of Standiford Avenue and Dale Road. Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Bright, unan., Sutton absent) Ord. No. 2308-C.S. introduced. Res. 85-18 adopted (same vote) approving plan without the ingress and egress. Res. 85-19 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

9. Consider authorizing the purchase of one service van with aerial lift from Dow-Hammond for total price of \$25,175. (Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 85-20 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider award of contract for the grading and paving at Sipherd Park. (Bids were opened on January 8, 1985. The low bid of \$56,325, submitted by Central Ready Mix, Inc. is 38% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Central Ready Mix, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Central Ready Mix, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-21 adopted awarding contract. (Eng. to handle)

WRITTEN COMMUNICATIONS

11. Request by Brian C. Davis on behalf of Steve and Mary West regarding their application to have Section 4-2.32 of the Modesto City Code amended or modified to allow certain persons, with restrictions, to carry on businesses such as fortune telling and palm reading.

ACTION: By motion (Lang/Whiteside, unan.) this item continued to February 5, 1985, at 4:00 p.m. (Clerk to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Larry Carder mentioned concerns about a ruling concerning bus bench signs. He was told the ruling has been rescinded.

NEW BUSINESS

13. Consider modifying taxicab regulations. (Memo with agenda. Three revised taxicab regulations are proposed. One revision would require taxicab drivers to be in the taxicab when parked at a taxicab stand. The second revision would make it unlawful for a taxicab to be parked in a competitor's taxicab stand. The third revision would set a three-minute parking time limit for taxicabs loading or unloading passengers. Motion introducing an ordinance amending Municipal Code Sections 4-6.609, 4-6.802, and 4-6.803 needed.)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2309-C.S. introduced. (Clerk to handle)

CONSENT

14. Consider approving agreement with Port-A-Port, Incorporated, a Texas Corporation, for the placement of a demonstration portable hangar. (Council recently approved a policy for the placement of portable hangars at the Airport. Council also authorized the concept of allowing two companies to place one hangar each on the existing ramp. This lease allows Port-A-Port to place a demonstration hangar. Resolution approving agreement needed.)

ACTION: Res. 85-22 adopted approving agreement. (Utility Services to handle)

CONSENT

15. Consider approving amendment to lease agreement with QuadAir, a partnership for a private corporate hangar at the Airport. (QuadAir owns one of the two large corporate hangars along Mitchell Road. They leased the site from the City for twenty years. This amendment adds an assignment clause so the lease can be assigned to new owners. The actual assignment will be done later. Memo with agenda. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 85-23 adopted approving amendment to agreement. (Utility Services to handle)

CONSENT

16. Consider introduction of an ordinance to amend Section 3-10.20 and to add Section 3-10.22 of the Modesto Municipal Code relating to Towing Attendant's Permit. (Memo with agenda. Motion introducing an ordinance needed.)

ACTION: By motion, Ordinance No. 2310-C.S. introduced. (Clerk to handle)

17. Consider approving agreement with Boyle/Kilpatrick and Associates to conduct the airline marketing program at the Modesto City-County Airport which is better known as the "Fly Modesto" program. (Council approved concept and funding on October 23, 1984. Memo with agenda. Resolution approving agreement needed. Estimated Cost: \$30,000. Funds are budgeted.)

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 85-24 adopted (Whiteside/Lang, unan., Muratore absent) approving agreement. (Utility Services to handle)

CONSENT

18. Consider approval of the final map of Vintage Faire No. 4 Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.

Subdividers: Vintage Faire Development, Inc.

(The subdivision agreement has been signed and all fees paid. Vintage Faire No. 4 is located between Veneman Avenue and Standiford Avenue near Conant Avenue. It contains 9.14 acres. Resolution approving final map needed.)

ACTION: Res. 85-25 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider authorizing City Manager to sign sewer reimbursement agreement with Resource Development and Washington Savings and Loan Association for North Heights Subdivision.

(This agreement provides for reimbursement of a portion of the sewer lateral charges as future owners connect to sewer laterals. The developers will be reimbursed \$52,907 by the City for extra costs to install deeper and larger laterals than needed for their development, located at Pelandale Avenue and Gagos Drive. Resolution authorizing City Manager to sign agreement needed. Funds are budgeted.)

ACTION: Res. 85-26 adopted authorizing City Manager to sign agreement.

(Eng. to handle)

CONSENT

20. Consider authorizing City Manager to sign agreement with Resource Development and Washington Savings and Loan Association for water main reimbursement in North Heights Estates Subdivision.

(City agrees, for a period of ten years from the date of execution of this agreement, to refund quarterly to owners, water main connection charges collected from properties on Gagos Drive and Akaby Drive as shown on Exhibit "B" of agreement, which connect directly to the water mains on Gagos Drive and Akaby Drive. Resolution authorizing City Manager to sign agreement needed.)

ACTION: Res. 85-27 adopted authorizing City Manager to sign agreement.

(Eng. to handle)

CONSENT

21. Consider approving lease agreement with W.P. Wesson, Jr., for the lease of 2.66+ acres of Wesson Ranch Park.

(This is a one year renewal of an existing lease. Mr. Wesson takes care of the property for the City which is not leasable to anyone else because of its location/irrigation system, etc. Mr. Wesson pays \$1/year, pays taxes and maintains the property. Resolution approving agreement needed.)

ACTION: Res. 85-28 adopted approving agreement.

(Utility Services to handle)

CONSENT

22. Consider approving lease agreement with Clinton and Maxine Ray for lease of a portion of Well Site #2.

(This is a one year renewal of an existing lease. The Rays use the area for a garden. They pay the City \$5 per year, pay possessory interest taxes and maintain the area. Resolution approving agreement needed.)

ACTION: Res. 85-29 adopted approving agreement.

(Utility Services to handle)

CONSENT

23. Recommend to Council vacation and abandonment of the public alley in Block 217.

(On December 3, 1984, the Planning Commission adopted Resolution No. 84-189 recommending to the City Council the vacation and abandonment of the public alley in Block 217, bounded by Jennie, Grand, Groveland, and Willow Streets. Resolution setting public hearing February 19, 1985, 4:00 p.m. needed.)

ACTION: Res. 85-30 adopted setting hearing.

(Clerk to handle)

CONSENT

24. Request for refund of \$577.95 overpayment of Business Improvement Area Tax - Central Valley Chrysler Plymouth.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-31 adopted approving refund. (Finance to handle)

CONSENT

25. Request for refund of \$715.28 overpayment of Business Improvement Area Tax - E.F. Hutton & Company, Inc.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-32 adopted approving refund. (Finance to handle)

CONSENT

26. Presentation of monthly Financial Statement and monthly Treasurer's Report for December, 1984.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of the reports needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

27. Consider approval of the final map of Carmel Woods Subdivision of the City of Modesto and authorizing an agreement with subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers - CDS Development of California, Inc., a California Corporation.
(The subdivision agreement has been signed and all fees paid. Carmel Woods is located at the northeast corner of Standiford Avenue and San Clemente Avenue. It contains 5.851 acres. Resolution approving final map needed.)

ACTION: Res. 85-33 adopted approving final map. (Clerk to handle)

CONSENT

28. Set date for public hearing on Zoning Code text amendments regarding hot air balloons.
(Last summer the City Council directed staff to prepare a Code Text amendment permitting hot air balloons as special events, and excluding them from the temporary sign definition. The Planning Commission on December 17, 1984, recommended approval of a Code Text amendment. Resolution setting public hearing on February 12, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-34 adopted setting hearing. (Clerk to handle)

CONSENT

29. Consider supporting addition of Route 99 to Interstate Highway System. (Memo with agenda. Support recommended so that completion of Highway 99 to full freeway can be accomplished. Resolution supporting the proposed addition needed.)

ACTION: Res. 85-35 adopted supporting the proposed addition. (P/T to handle)

30. Consider the adoption of six Industrial Development Bond Inducement Resolutions for the hotel, office and private meeting room portions of the Community Center Project. (These resolutions are recommended to preserve the City's right to use Industrial Development Bonds for the private portions of the Community Center Project. They do not commit the City in any way to the actual use of Industrial Development Bonds. Memo with agenda. Six resolutions are required.)

Mayor Mensinger and Councilmember Whiteside excused due to a conflict of interest.

ACTION: Res. 85-36 adopted (Sutton/Muratore, unan.; Whiteside, Mensinger absent) authorizing issuance of bonds for hotel facilities - John Hammons.

Res. 85-37 adopted (same vote) authorizing issuance of bonds for hotel facilities - John Hammons, partnership.

Res. 85-38 adopted (same vote) authorizing issuance of bonds for conference center facilities - John Hammons.

Res. 85-39 adopted (same vote) authorizing issuance of bonds for conference center facilities - John Hammons, partnership.

Res. 85-40 adopted (same vote) authorizing issuance of bonds for office facilities.- John Hammons.

Res. 85-41 adopted (same vote) authorizing issuance of bonds for office facilities - John Hammons, partnership. (Atty. to handle)

MISCELLANEOUS

31. Appointments

ACTION: Res. 85-42 adopted (Muratore/Whiteside, unan.) appointing Connie Harris to the Mobile Home Park Mediation Board. (Clerk to handle)

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

ACTION: By motion (Lang/Whiteside, unan.) request of the Central California Art League to host a Chamber of Commerce mixer at the Gallery was approved. (P/R to handle)

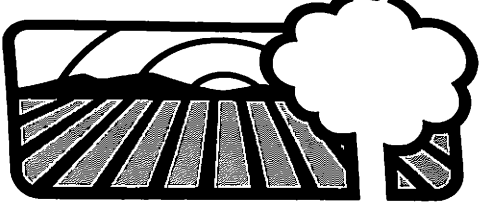
CLOSED SESSION

33. Closed session to decide whether to initiate litigation. This closed session will be held pursuant to the provision of subsection (c) of Section 54956.9 of the California Government Code.

ADJOURNMENT

The meeting adjourned to closed session at 6:55 p.m. and did not return to open session.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 22, 1985, AT 7:30 P.M.
Meeting convened at 8:10 p.m.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Mel Turner, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 11, 12,
13, 15, 16

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the January 15, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2309-C.S. amending Sections 4-6.609, 4-6.802 and 4-6.803 of Chapter 6 of Title IV of the Modesto Municipal Code relating to taxicab regulations.
- b. Ord. No. 2310-C.S. amending Section 3-10.20 of Chapter 10 of Title III of the Modesto Municipal Code, and adding Section 3-10.22.1 relating to towing services.

(Motion adopting needed.)

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

HEARINGS

4. Hearing to determine that the public interest and convenience require that Houser Lane No. 2 Annexation be annexed to the Modesto Municipal Sewer District No. 1.

ACTION: Res. 85-43 adopted (Muratore/Whiteside, unan., Mensinger absent) annexing Houser Lane No. 2 Annexation. (Clerk to handle)

5. Report of Superintendent of Streets on cost of construction of curb and/or sidewalk at the following locations:

ACTION: Res. 85-44 adopted (Lang/Whiteside, unan., Mensinger absent) revising the policy establishing a payment plan to include churches of less than 50 members. (Eng to handle)

- a. Curb and sidewalk along California Avenue at 717 Spencer Avenue, a portion of Block 4104. (Carolyn F. Johnson Gamble - \$2,572)

ACTION: Res. 85-45 adopted (Whiteside/Lang, unan., Mensinger absent) confirming report, assessing costs, and directing method of collection. (Finance to handle)

- b. Curb and sidewalk at 713 California Avenue, a portion of Block 4104. (John G. White and Debra P. Perez - \$1,212)

ACTION: Res. 85-46 adopted (Whiteside/Lang, unan., Mensinger absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

- c. Curb and sidewalk at 200 E. Granger Avenue, a portion of Block 1235. (Max Kleinknecht - \$1,919)

Paid - Dropped from agenda.

- d. Curb and sidewalk at 1125 Amherst Avenue, a portion of Block 842.
(Ronald W. Posey - \$420)

ACTION: Res. 85-47 adopted (Whiteside/Lang, unan., Mensinger absent)
confirming report, assessing costs, and directing method of
collection. (Finance to handle)

- e. Curb and sidewalk at 725 California Avenue, a portion of Block
4104. (Bill Weinmaster - \$1,416)

ACTION: Res. 85-48 adopted (Whiteside/Lang, unan., Mensinger absent)
confirming report, assessing costs, and directing method of
collection. (Finance to handle)

- f. Curb and sidewalk at 821 California Avenue, a portion of Block
4104. (Westside Neighborhood Church - \$4,284)

ACTION: Res. 85-49 adopted (Whiteside/Lang, unan., Mensinger absent)
confirming report, assessing costs, and directing method of
collection over a period of 10 years. (Finance to handle)

BIDS

CONSENT

6. Consider declaring McCoy's In Ceres overall low bidder for furnishing the
City's annual tire recapping requirements.
(Memorandum with agenda. Resolution declaring McCoy's In Ceres overall
low bidder and authorizing the purchase needed. Estimated cost:
\$14,800; ;funds are budgeted.)

ACTION: Res. 85-50 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider declaring Lincoln Equipment, Inc. lowest bidder and authorize
the purchase of nineteen lifeguard chairs of the total amount of
\$7,577.91.
(Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-51 adopted authorizing purchase. (Finance to handle)

CONSENT

8. Consider award of contract for Orchard Neighborhood Park irrigation line
replacement.
(Bids were opened on January 15, 1985. The low bid of \$39,414, submitted
by Clyde Wheeler Pipeline is 41% below the engineer's estimate and
considered acceptable. It is therefore recommended that the contract be
awarded to Clyde Wheeler Pipeline, Inc. Memo and bid tabulation with
agenda. Resolution awarding contract to Clyde Wheeler Pipeline, Inc.
needed. Funds are budgeted.)

ACTION: Res. 85-52 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider declaring S & S Arts & Crafts, Sax Arts and Crafts, Nasco West, Inc., H. S. Crocker, Sportmaster, Coast Marketing Group, Action Sports, BSN Corp., Fraser-Edwards Sports, Athletic Supply of California, and Mohinder Sports, Inc., the lowest bidders meeting specifications and authorizing the issuance of purchase orders for the respective items bid. (Memo with agenda. Resolution declaring eleven companies low bidders meeting specifications and authorizing issuance of purchase orders needed. Estimated Cost: \$6,537.96. Funds are budgeted.)

ACTION: Res. 85-53 adopted authorizing issuance of purchase orders.
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

10. Consider request to extend Modesto Garbage Company's and Orange Line Sanitation Company's garbage franchises to an eight year period, renewable every three years. This is comparable to the "eight and five" franchise currently held by Gilton Solid Waste Management, Inc. (Resolution setting public hearing February 19, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-54 adopted setting hearing. (Clerk to handle)

CONSENT

11. Letter from Ron Simi resigning from the Modesto Planning Commission. (Resolution accepting resolution with regret needed.)

ACTION: Res. 85-55 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT

12. Consider acceptance of resignation of Richard O. Loughmiller from the Citizens Housing and Community Development Committee, and Neighborhood Advisory Committee #2. (Memo with agenda. Citizens Housing and Community Development Committee accepted resignation during November 9, 1984 meeting. Resolution accepting resignation with regret needed.)

ACTION: Res. 85-56 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT

13. Consider acceptance of resignation of David Dill from the Housing Maintenance and Counseling Subcommittee. (Memo with agenda. Resolution accepting resignation with regret needed.)

ACTION: Res. 85-57 adopted accepting resignation with regret.
(Clerk to handle)

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

None

CONSENT

15. Set hearing to review revised monthly sewer service charges.
(Staff has completed its annual review of the Sewer Revenue Program and recommends adjustments to the various sewer service charges. Resolution setting informal public hearing Tuesday, February 19, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-58 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider proposed issuance of up to \$7 million of Industrial Revenue bonds by the Industrial Development Authority of the City of Modesto.
(Allen R. Grant/Altek Circuits, Inc.)
(Allen R. Grant/Altek Circuits, Inc. has applied for industrial revenue bonds to finance construction of a facility to manufacture printed circuit boards to be located in the Lamatis Industrial Center. This action is follow-through to action to be taken by the Industrial Development Authority. Memo with agenda. Resolution approving a project of Allen R. Grant for Industrial Revenue Bonds financing and the issuance of bonds therefore needed.)

ACTION: Res. 85-59 adopted approving issuance of bonds. (Planning to handle)

MISCELLANEOUS

17. Appointments

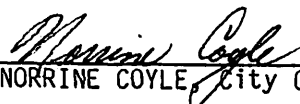
None

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

None

ADJOURNMENT

The meeting was adjourned at 8:30 p.m. to Saturday, January 26, at 8:30 a.m., at Velia's, 1022 11th Street, for a meeting with Congressman Coelho; then to 9:00 a.m., January 30, at 9:00 a.m. in the City Hall lobby for a tour of Multi-family Municipal Revenue Bond projects; and then to 11:45 a.m. at Marie Callenders, 3500 Coffee Road, for a discussion of the multi-family revenue bond program.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
January 26, 1985

The Council of the City of Modesto met pursuant to adjournment at 8:30 a.m., at Velia's Bistro, 1022 11th Street, Modesto, California.

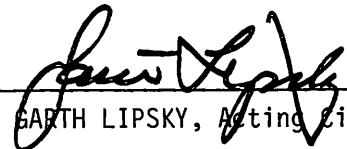
Present: Councilmembers Lang, Muratore, Whiteside, and
Acting Mayor Patterson

Absent: Councilmembers Bright, Sutton, Mayor Mensinger

The Councilmembers met with Congressman Coelho to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 9:55 a.m.

ATTEST:


GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
January 30, 1985

The Council of the City of Modesto met pursuant to adjournment at 9:00 a.m., in the City Hall lobby, 801 11th Street, Modesto, California.

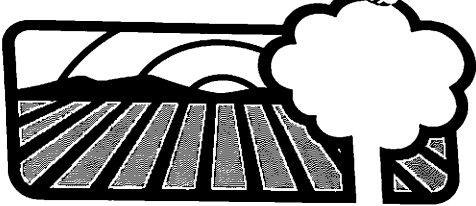
Present: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

Absent: Councilmembers: None

The City Council toured the multi-family municipal revenue bond projects and then met at Marie Callender's for a general discussion.

The meeting adjourned at 1:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 5, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bud La Core, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 9, 11, 12, 13, 15, 18, 19, 20, 21, 22, 23

ACTION: (Whiteside/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

The Mayor announced that the City of Modesto has received an award from the printing industry for the bike route map prepared by Shirley Elke, Rokki Filaseta and Julian Lopez.

Lynn Hartley, daughter of Alderman Hartley of Vernon, B.C., presented a picture of a lake near Sister City Vernon, B.C.

CONSENT

MINUTES

2. Approval of the minutes of the minutes of the January 22, 1985, regular City Council meeting and the adjourned regular meetings of January 26, 1985, and January 30, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2308-C.S. rezoning from R-1 to P-D(367), property located on northwest corner of Standiford Avenue and Dale Road. (Belco Development Investment Co.) (Councilmember Sutton will be excused due to a conflict of interest. Motion adopting needed.)

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent) Ordinance No. 2308-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

4. Consider approving specifications and authorizing call for bids to be opened February 26, 1985, at 3:00 p.m. for furnishing fourteen 40-horsepower aerators. (Requested by the Engineering Department, the aerators will provide access to the wastewater treatment pond system currently scheduled to undergo expansion. Four units will be replacements and ten will be additional units used in the system's expansion. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$196,000; funds are budgeted.)

ACTION: Res. 85-70 adopted calling for bids. (Finance to handle)

CONSENT

5. Consider approving specifications and authorize call for bids to be opened February 26, 1985, at 3:15 p.m. for furnishing four general government sedans and thirteen pickup trucks. (Requested by the Service Division, the vehicles will be assigned to various departments as replacement units (See Exhibit A with agenda). Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$145,000; funds are budgeted.)

ACTION: Res. 85-61 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of wading pool at East La Loma Park. (Suggested bid opening: February 26, 1985, at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$63,237 (contract \$59,100; engineering \$4,137); funds are budgeted.)

ACTION: Res. 85-62 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of metal storage building at Fire Station No. 4. (Suggested bid opening: February 26, 1985, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$41,816.50 (contract \$38,015; engineering \$3,801.50) funds are budgeted.)

ACTION: Res. 85-63 adopted calling for bids. (Eng. to handle)

8. Consider approval of plans and specifications and call for bids for alley paving in Block 842, bounded by Roseburg, Cecil, Amherst and Notre Dame. (Suggested bid opening: February 26, 1985, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$8,778 (contract \$7,980; engineering \$798); funds are budgeted.) (Councilmember Sutton will be excused due to a conflict of interest)

ACTION: Res. 85-64 adopted (Patterson/Lang, unan., Sutton absent) calling for bids. (Eng. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the installation of carpet at Modesto Police Department. (Suggested bid opening: February 26, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$19,974 (contract \$18,158.70; engineering \$1,815.87); funds are budgeted.)

ACTION: Res. 85-65 adopted calling for bids. (Eng. to handle)

10. Consider approving a "Request for Proposals" for a motel/restaurant complex and reconstruction of the airline terminal at the Modesto City-County Airport. (Staff is recommending that the Council search for a developer willing to build a motel and restaurant at the Airport and reconstruct the airline terminal through the proposal process. Memo with agenda. Resolution approving "Request for Proposals" needed.)

ACTION: Res. 85-66 adopted (Lang/Muratore, unan.) approving request. By motion (Whiteside/Sutton, unan.) staff directed to review the proposals within 30 days. (Utility Services to handle)

CONSENT

11. Consider award of contract for the development of Well No. 46 located at Lincoln Oak Drive and Twin Oak Lane. (Bids were opened on January 22, 1985. The low bid, submitted by Osterberg & Stewart, Inc., is 7% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Osterberg & Stewart. Memo and bid tabulation with agenda. Estimated cost: \$20,809.20; funds are budgeted.)

ACTION: Res. 85-67 adopted awarding bid. (Eng. to handle)

CONSENT

12. Consider declaring Dow Hammond of Modesto sole bidder and authorize the purchase of one refuse bin truck for the total amount of \$74,920. (Memorandum with agenda. Resolution authorizing purchase of refuse bin truck from Dow Hammond needed. Funds are budgeted.)

ACTION: Res. 85-68 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider declaring Cen-Cal Machinery Company low bidder and authorize the purchase of one heavy equipment trailer for the total amount of \$7,502. (Memorandum with agenda. Resolution authorizing purchase of one heavy equipment trailer from Cen-Cal Machinery needed. Funds are budgeted.)

ACTION: Res. 85-69 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

14. Letter from Nettie I. Bigham requesting an amendment to Code regulations regarding massage establishments. (Motion referring to staff for recommendation needed.)

ACTION: By motion (Sutton/Whiteside, unan.) matter referred to staff to study and make a recommendation. (Police to handle)

CONSENT

15. Letter from Helen White, Chairperson of the Human Relations Commission, requesting Council endorsement of the Rental Rehabilitation Affirmative Marketing Policy. (Motion referring to Citizens Housing & Community Development Committee needed.)

ACTION: By motion, letter referred to Citizens Housing Committee. (Planning to handle)

16. Letter from Brian C. Davis, representing Steve and Mary West, requesting an amendment to Code regulations regarding fortune telling and palm reading. (Continued from January 15, 1985, Council meeting.)

ACTION: By motion (Muratore/Whiteside, majority, Lang-no) it was agreed that the Code would not be changed.

17.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Whiteside and Mayor Mensinger excused due to a conflict of interest. Carman Sabatino and Bob Oliver made some remarks in connection with the community center project.

NEW BUSINESS

CONSENT

18. Request for refund of \$870.70 overpayment of Business Improvement Area Tax - Dow Hammond Trucks Co. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-70 adopted approving refund. (Finance to handle)

CONSENT

19. Proposal from Nick Sciabica and Sons, Inc. to harvest olives from City-owned trees located on Mellis Park, Franklin Avenue. (Mr. Sciabica will pay the City, no later than March 30, 1985, \$30.00 per ton of olives for the right to harvest the trees. Resolution approving agreement needed.)

ACTION: Res. 85-71 adopted approving agreement. (P.R. to handle)

CONSENT

20. Consider authorizing cost sharing agreement amendment with Caltrans, providing bus service to AMTRAK at Riverbank, to increase Caltrans' 50% share from a maximum of \$5,000 to a maximum of \$10,000. (Memo with agenda. The cost sharing agreement with Caltrans needs to be amended so Caltrans can pay its 50% share of the costs that exceed the original estimate. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 85-72 adopted approving amendment to agreement. (P.T. to handle)

CONSENT

21. Consider approval to purchase a video training series entitled "Investment in Excellence" in partnership with the cities of Ceres and Turlock. ("Investment in Excellence" is a video-supported training program designed to assist employees in achieving their potential. Memo with agenda. Resolution approving purchase needed. Estimated cost of Modesto's share: \$7,155; funds are budgeted.)

ACTION: Res. 85-73 adopted approving purchase. (Mgr. to handle)

CONSENT

22. Amend Position Classification Plan and salary resolution for the following:

Delete two classes - Assistant Property Agent and Budget Accountant

Add three classes - Budget Analyst, Engineering Contracts Specialist and Treasury Accountant

Revise one class and salary level - Accountant I

Revise six salary levels only - Airport Manager, Assistant City Clerk, Fire Battalion Chief, Plant Mechanical Maintenance Supervisor, Secondary Treatment Site Supervisor and Wastewater Treatment Plant Supervisor.

Two positions for differential pay - Maintenance Mechanic and Maintenance Mechanic - Pumps.

Revise two class specifications - Administrative Assistant and Plant Mechanic.

(Resolution amending Position Classification Plan and resolution amending the salary resolution needed.)

ACTION: Res. 85-74 adopted amending Position Classification Plan.

Res. 85-75 adopted amending salary schedule. (Mgmt. Services to handle)

CONSENT

23. Consider request for sewer service to property outside City limits at 2312 Ada Street located on the south side of Ada Street between Colfax Avenue and Meta Court. (Owner - Betty I Hager)
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, and a line exists to serve property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-76 adopted approving agreement. (Eng. to handle)

24. Further consideration of bus service to AMTRAK at Riverbank.
(Memo with agenda. It is recommended that existing AMTRAK feeder bus contract continue to original termination date of March 30, 1985 and that staff be directed to investigate alternatives in the interim. Motion acknowledging receipt of report and authorizing continuance of present service while looking for alternatives needed.)

ACTION: By motion (Whiteside/Sutton, unan.) receipt of report acknowledged, and authorized continuance of present service while looking for alternatives. (P.T. to handle)

MISCELLANEOUS

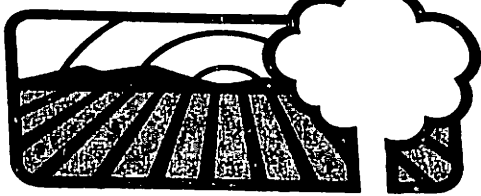
25. Appointments
None

26. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
None

ADJOURNMENT

The meeting adjourned at 5:27 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 12, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 9A, 11, 13, 15, 17, 18, 19, 20, 22, 23, 26,

Removed from consent: 14, 25, 27a

Dropped from agenda: 24

ACTION: (Whiteside/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Jan Beekman, representing the American Field Service, asked six A.F.S. students from Italy, Columbia, West Germany, Jordan, Norway and Switzerland to introduce themselves.

Mayor Mensinger introduced Linda Sesser and members of Boy Scout Troop 76.

MINUTES

CONSENT

2. Approval of the minutes of the February 5, 1985, regular City Council meeting.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing regarding Zoning Code text amendment permitting hot air balloons as special events, and excluding them from the temporary sign definition.

ACTION: By motion (Lang/Whiteside, unan.) Ord. 2311-C.S. introduced amending Code.
Res. 85-77 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

4. Hearing to consider appeal by Mid-Valley Engineering, on behalf of Sam's Food City, to a Planning Commission decision to close the walkway from the west end of Del Mar Avenue to Sam's Food City on Carver Road.

ACTION: Res. 85-78 adopted (Sutton/Bright, majority, Muratore and Mensinger - no) denying appeal and upholding Planning Commission decision. (Clerk to handle)

BIDS

CONSENT

5. Consider award of contract for the installation of air conditioning system at McHenry Mansion.
(Bids were opened January 8, 1985. Staff has reviewed the bids received and has determined that there is an irregularity with the low bid submitted by Comm Air Mechanical Services. It is, therefore, recommended that the bid be awarded to the second low bidder, Lang's Enterprises. Memo and bid tabulation with agenda. Resolution awarding contract to Lang's Enterprises, Inc. needed. Estimated cost: \$78,078; funds are budgeted.)

ACTION: Res. 85-79 adopted awarding contract. (Eng to handle)

CONSENT

6. Consider declaring Nixon-Egli Equipment Company low bidder meeting City specifications and authorize the purchase of one high dump street sweeper from the firm for the price of \$85,770.
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-80 adopted authorizing the purchase. (Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorizing the purchase of traffic line paint from February 13, 1985 to June 30, 1985, through the State of California Cooperative Purchasing Program.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Estimated cost: \$37,605; funds are budgeted.)

ACTION: Res. 85-81 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

8. Letter from David Dolan requesting a "presentation of criterias and methods employed in evaluating archeological/historical elements of EIR documents associated with UDAG & CEQU processes."
(Motion referring to staff for report needed.)

Dropped from agenda at Mr. Dolan's request.

9. Letter from David Dolan requesting a "public presentation of civic center design materials being utilized in negotiations with Mr. John Q. Hammonds."
(Motion referring request to staff for report needed.)

Dropped from agenda at Mr. Dolan's request.

CONSENT

- 9A. Request of Harlan Smith, President, Modesto Camellia Society, for donation of Sweepstake Trophy for 24th Annual Camellia Show to be held March 16 and 17, 1985.
(Motion approving needed.)

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

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

William Neighbors mentioned some problems with the recent paving job on Sunrise Avenue. The matter will be referred to staff.

NEW BUSINESS

CONSENT

11. Addition of the City of Atwater to the Central California Mortgage Authority (CCMA).
(The CCMA currently is a Joint Powers Agency (JPA) of the cities of Merced and Modesto for the sole purpose of issuing Single Family Mortgage Revenue bonds (SFMRB's). The CCMA issued SFMRB's in 1982. Developers now request a 1985 SFMRB issue to include the City of Atwater. Staff recommends approval of a resolution adding the City of Atwater to the CCMA. Memo with agenda. Resolution approving the first amendment to the Joint Powers agreement to add the City of Atwater to the CCMA and authorizing the City Manager to execute needed.)

ACTION: Res. 85-82 adopted approving amendment to agreement.
(Planning to handle)

12. Consider approval of the Finance Department Data Processing Modernization Plan, approving four agreements to implement the plan, and a resolution amending the Annual Budget for fiscal year 1984-85 to provide financing.
(Memo and report with agenda. Four resolutions approving agreements needed, and resolution amending the budget needed. Estimated cost: \$340,000; funds are budgeted.)

ACTION: Res. 85-83 adopted (Sutton/Patterson, unan.) approving agreement with American Management Systems Inc. to provide software.

Res. 85-84 adopted (same vote) approving agreement with Crocker Bank for lease of space for computer facility.

Res. 85-85 adopted approving agreement with Touche Ross and Co. to serve as project managers during implementation phase of modernization plan.

Res. 85-86 adopted approving agreement with International Business Machines to provide computer hardware and software for modernization plan.

Res. 85-87 adopted amending the budget. (Finance to handle)

CONSENT

13. Presentation of monthly Financial Statement and monthly Treasurer's Report for January, 1985.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of reports needed.)

ACTION: By motion, receipt of report acknowledged.

14. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services for the Water Quality Control Plant expansion project.
(The additional funding for design and construction engineering is needed to provide for changes due to the discovery of unstable soils at the project site. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$291,559; funds are budgeted.)

ACTION: Res. 85-88 adopted (Whiteside/Lang, unan.) approving amendment to agreement. (Utility Services to handle)

CONSENT

15. Consider approval of application for funds under the Federal Land and Water Conservation Program for the installation of field lighting at the Fairway Soccer field located south of the John Thurman Baseball field.
(Competitive grants are available through this funding program a 50/50 local match is required on funded projects. Since this project meets the criteria, staff recommends applying for \$100,000. Resolution authorizing filing of an application needed.)

ACTION: Res. 85-89 adopted authorizing filing of an application. (P/R to handle)

16. Consider authorizing the Mayor to contact our Congressional representatives regarding the continuation of the Essential Air Service Program (EAS).
(EAS Program is scheduled to terminate in 1988. There is a move at the federal level to terminate this program earlier. Memo with agenda. Motion authorizing Mayor to contact Congressional representatives regarding EAS Program needed.)

ACTION: By motion (Patterson/Whiteside, unan.) Mayor authorized to make contacts. (Utility Services to handle)

CONSENT

17. Consider approving lease agreement with George Frederickson and Phillip Bravard for the lease of an unused portion of Fire Station #5. (Mr. Bravard and Mr. Frederickson have been leasing this property since 1977. There have been no problems. They pay the City \$108 per year and maintain the site for us. Resolution approving agreement needed.)

ACTION: Res. 85-90 adopted approving agreement. (Utility Services to handle)

CONSENT

18. Consider approving agreement with James E. and Susann A. Coleman for the lease of 536 N. Riverside Drive (former Hubert Scott house purchased for Dry Creek Park). (This is a five year lease with rental starting at \$350/month and increasing 5% per year. City has the right to cancel lease with 90 days notice in the last two years. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-91 adopted approving agreement. (Utility Services to handle)

CONSENT

19. Consider approving agreement with Keith D. Vogt, dba The Prime Source, for providing callboards and on-site advertising at the Airport. This is a three year lease. Mr. Vogt would pay us 10% of his gross income the first year, 20% in the second year, and 30% in the third year. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-92 adopted approving agreement. (Utility Services to handle)

CONSENT

20. Consider approving concession agreement with Walser Travel Service, Inc. for the right to sell travel insurance by "mail-in" service at the Airport terminal. (This is a one year renewal of an existing lease. Walser pays the City a \$50 per year minimum or 5% of the annual gross revenue for insurance sold from the terminal. Resolution approving agreement needed.)

ACTION: Res. 85-93 adopted approving agreement. (Utility Services to handle)

CONSENT

22. Consider authorizing City Manager and City Clerk to execute easement deed to M.I.D. for electrical facilities across the back 10 feet of Fire Station No. 6. (M.I.D. has requested the City grant them an easement across the back 10 feet of Fire Station No. 6 for electrical facilities in place. Memo with agenda. Resolution approving easement deed needed.)

ACTION: Res. 85-94 adopted approving easement deed.
(Utility Services to handle)

CONSENT

23. Set date for public hearing to consider proposed Briggs Avenue No. 2 Governmental Reorganization.
(On January 16, 1985, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The Governmental Reorganization would include two rural residential parcels and a vacant parcel located west of Franklin Street between Briggs Avenue and California Avenue. These parcels total 10.328 acres and contain two existing dwellings. There are four registered voters within the annexation. Resolution setting public hearing on March 26, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-95 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider approval of the final map of Valley Oak subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Valley Oak Associates.)
(The subdivision agreement has been signed and all fees paid. Valley Oak subdivision is located on the east side of Oakdale Road between Merle Avenue and Floyd Avenue. It contains 8.838 acres. Resolution approving final map needed.)

Dropped from agenda.

25. Consider approval of the final map of Ashton Square subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Charles H. and Audrey E. Duerner).
(The subdivision agreement has been signed and all fees paid. Ashton Square is located south of West Roseburg Avenue and east of Virginia Avenue. It contains 0.92 acre. Resolution approving final map needed.)
Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 85-96 adopted (Patterson/Lang, unan., Muratore absent) approving final map. (Clerk to handle)

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends supporting AB 164 (Houser) - Restoration of City Veto of Annexations in Specific Cases.
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

27. Appointments

CONSENT

- a. Appointments to Youth Commission.
(Memo with agenda. Resolution approving appointments needed.)

ACTION: Res.85-97 adopted (Lang/Muratore, unan.) appointing members to Youth Commission (Park, Melkonian, Fenton, Wahl, Bradley, Harmon, Lewis, Milligan, Khaira, Sufi, Baker, and Wesely). (Clerk to handle)

- b. Other

ACTION: Res. 85-98 adopted (Lang/Muratore, unan.) appointing members to the Board of Building Appeals (DeGrasse and Wong) (Clerk to handle)

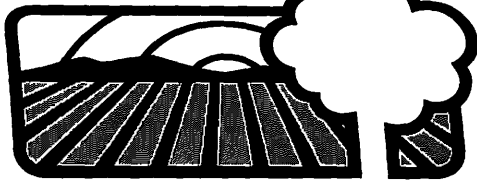
28. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 19, 1985, AT 4:00 P.M.

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

Absent: Councilmember Bright

Pledge of allegiance to the Flag

Invocation: Rev. Joel Richards, LaLoma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 11, 12, 13, 14,
Removed from consent: 10 15, 16, 17, 18, 19, 20, 21, 22

ACTION: (Patterson/Whiteside, unan., Bright absent)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by William R. Mitchell on behalf of the Stanislaus County Historical Society of a survey of historical buildings in Modesto.
Survey was presented to the City by William Mitchell.

ACTION: By motion (Whiteside/Patterson, unan., Bright, absent) the request to adopt an "historical buildings" Code for building inspection purposes referred to Culture Commission for recommendation. (P.R. to handle)

MINUTES

CONSENT

2. Approval of the minutes of the regular meeting of February 12, 1985.
(Motion approving needed.)

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

HEARINGS

3. Hearing regarding the vacation and abandonment of the public alley in Block 217.

ACTION: By motion (Lang/Sutton, unan., Bright absent) intention indicated to abandon alley except for the portion needed for Highway 132. (Planning to handle)

4. Hearing to consider the appeal of Wolf DeGrass Architects, on behalf of John Quaresma, to a Planning Commission decision denying rezoning from R-1, R-3 and C-1 and a portion of P-D(118) to a new P-D, property located at the southeast corner of Tully Road and West Roseburg Avenue.

ACTION: By motion (Muratore/Sutton, unan., Bright absent) Ord. 2312-C.S. introduced. Res. 85-99 adopted (same vote) granting appeal and certifying review of Environmental Assessment. (Clerk/Planning to handle)

5. Hearing to consider extension of garbage franchises for Modesto Garbage Company and Orange Line Sanitation.

Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Bright and Sutton absent) Ord. No. 2313-C.S. introduced granting an 8-year license to Modesto Garbage Company.

By motion (same vote) Ord. No. 2314-C.S. introduced granting a 7-year license to Orange Line Sanitation Company. (Clerk to handle)

6. Hearing on revised sewer service charges.

ACTION: Res. 85-100 adopted (Whiteside/Sutton, unan., Bright absent) revising sewer service charges. (Finance to handle)

7. Hearing to consider amendment to Sec. 30-3-9 of the Zoning Map to rezone from P-D(321), for a 27-unit condominium project, to R-1, property located on the north side of Elm Avenue west of Emerald Avenue.

ACTION: By motion (Lang/Muratore, unan., Bright absent) Ord. No. 2315-C.S. introduced. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

8. Letter from three residents in the Del Vale vicinity requesting that a fence be installed along the alley adjacent to Pike Park. (Motion referring to staff for report needed.)

ACTION: By motion, request referred to staff for report. (P.R. to handle)

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

None

NEW BUSINESS

10. Consider adoption of a resolution authorizing the City Manager to sign a contract on behalf of the City of Modesto with H. Wendell Mounce & Associates for the design development phase of the new Police building. (Memo with agenda. Resolution approving contract needed. Estimated cost: \$149,643. Funds are budgeted.)

ACTION: Res. 85-101 adopted (Lang/Patterson, unan., Bright absent) authorizing the City Manager to sign a contract. (Police to handle)

CONSENT

11. Consider revising fees for issuance of tow truck operator and attendant permits.
(Memo with agenda. Resolution revising fees needed.)

ACTION: By motion, Ord. No. 2316-C.S. introduced.
Res. 85-102 adopted revising fees. (Police to handle)

CONSENT

12. Consider amending Modesto Municipal Code Section 4-2.09, Drinking in Public.
(Memo with agenda. The amendment would allow consumption of alcoholic beverages on private parking lots when the lot is closed to the public and only invited guests are admitted. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2317-C.S. introduced amending Code. (Clerk to handle)

CONSENT

13. Consider approving additions to the airport section of the Modesto Municipal Code regarding automotive fuel and aircraft fuel sales.
(Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. 2318-C.S. introduced approving additions to the Code.
(Clerk to handle)

CONSENT

14. Consider application for encroachment permit from Paul M. Zagaris, Inc., to place an underground communication line on Allen Drive.
(Explanatory letters and application with agenda. It is recommended that the Council authorize the Director of Engineering to issue encroachment permit. Resolution authorizing Director of Engineering to issue an encroachment permit needed.)

ACTION: Res. 85-103 adopted authorizing Director of Engineering to issue an encroachment permit.
(Eng. to handle)

CONSENT

15. Consider acceptance of improvements in the Racquet Club Subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Fred A. Earle, III, Inc.
(The Racquet Club Subdivision is located between Norwegian Avenue and Briggsmore Avenue, east of McHenry Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-104 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

16. Consider approving agreement with Avis Rent A Car System, Inc. for providing rental car services at the Airport.
(This is a one-year renewal of an existing lease for Avis. Rental is the same, 10% on cars rented at the Airport with a \$3,600 minimum annually. The only major change is that the service is now provided by Avis, not a local franchisee. Resolution approving agreement needed.)

ACTION: Res. 85-105 adopted approving agreement. (Utility Services to handle)

CONSENT

17. Consider authorizing the City Manager to approve a purchase order to Turlock Irrigation District for \$56,000.
(T.I.D. is providing electrical power to the remote pond site for Units 2 and 3 of the Wastewater Treatment Plant Expansion Project. Several line extensions, transformers and metering devices are required for the new facilities. T.I.D.'s estimated cost for providing power to the facilities is \$56,000 including contingencies. Memo with agenda. Resolution authorizing City Manager to approve purchase order needed. Estimated cost: \$53,968 plus \$2,032 for contingencies.)

ACTION: Res. 85-106 adopted authorizing City Manager to approve purchase order. (Utility Services to handle)

CONSENT

18. Consider authorizing the City Manager to approve the purchase of the electrical switchgear assemblies needed for the new aerators as a part of Units 2 and 3 of the Sewage Treatment Plant Expansion Project.
(The authorization to purchase the electrical switchgear assemblies is needed to assure the installation of the new aerators before the start of the 1985 food processing season. Memo with agenda. Resolution authorizing the City Manager to approve purchase of the switchgear assemblies. Estimated cost: \$100,000. Funds are budgeted.)

ACTION: Res. 85-107 adopted authorizing the City Manager to approve purchase. (Utility Services to handle)

CONSENT

19. Consider request for sewer service to property outside City limits at 917 Paradise Road, between Harris Avenue and Mayette Avenue. Owners: Robert B. and Helen Annette Davis.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-108 adopted approving agreement. (Eng. to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 550 Colfax Avenue, between Ada Street and Lambert Street. Owners: Francis L and Nevada D. Lee.
The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.

ACTION: Res. 85-109 adopted approving agreement. (Eng. to handle)

CONSENT

21. Consider endorsement of the Rental Rehabilitation Affirmative Marketing Policy required by HUD for the administration of Rental Rehabilitation Grant funds in fiscal years 1984 and 1985.
(The Affirmative Marketing Policy has been endorsed by the Human Relations Commission and the Citizens Housing and Community Development Committee. Memo with agenda. Resolution adopting the Rental Rehabilitation Affirmative Marketing Policy needed.)

ACTION: Res. 85-110 adopted adopting policy.

(Planning to handle)

MICELLANEOUS

CONSENT

22. Legislation: Staff recommends supporting AB 220 (Condit) Fingerprinting of Kindergarten Pupils.
(Memo and attachments with agenda. Motion approving staff recommendation needed.)

ACTION: By motion, recommendation approved.

(Mgmt. Services to handle)

23. Appointments

None

24.

MATTERS TOO LATE FOR THE AGENDA

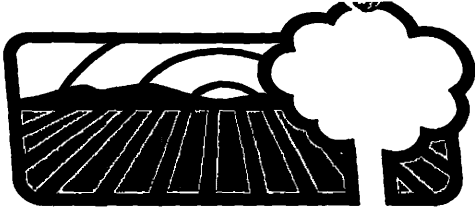
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:28 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 26, 1985, AT 7:30 P.M.

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

Absent: Councilmember Bright

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3a, 3b, 3e, 3f, 3g, 3h, 5,
6, 8, 9, 11, 12, 13, 14, 15, 16

Removed from consent: 3c, 3d

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the February 19, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

2/26/85

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2311-C.S. amending sections of the Municipal Code relating to the zoning and sign regulations regarding hot air balloons.
- b. Ord. No. 2312-C.S. rezoning from R-1, R-3 and C-1 and a portion of P-D(118) to a new P-D, property located at the southeast corner of Tully Road and West Roseburg Avenue. (Quaresma)
- e. Ord. No. 2315-C.S. repealing P-D(321) and rezoning to R-1 property located on the north side of Elm Avenue west of Emerald Avenue. (Lyons Bros.)
- f. Ord. No. 2316-C.S. amending the Municipal Code relating to towing services.
- g. Ord. No. 2317-C.S. amending the Municipal Code relating to drinking in public.
- h. Ord. No. 2318-C.S. amending the Municipal Code relating to Modesto City-County Airport.

(Motion adopting needed.)

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

- c. Ord. No. 2313-C.S. granting a license for the collection of garbage to Modesto Garbage Company, Inc.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Patterson/Lang, unan., Bright and Sutton absent) Ord. No. 2313-C.S. adopted. (Clerk to handle)

- d. Ord. No. 2314-C.S. granting a license for the collection of garbage to Orange Line Sanitation Company, Inc.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Patterson/Lang, unan., Bright and Sutton absent) Ord. No. 2314-C.S. adopted. (Clerk to handle)

HEARINGS

- 4. Hearing to consider appeal of Combs/Godina Engineering, on behalf of Martin Teunissen, to a Planning Commission decision denying a request for a one year time extension for P-D(336), a mobile home park at the northeast corner of Whitmore Avenue and Ustick Road.

ACTION: Res. 85-111 adopted (Patterson/Lang, unan., Bright absent) granting the appeal. (Planning to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the replacement of the sand trap at City Well No. 24.
(Suggested bid opening: March 12, 1985, at 11:00 a.m. This project will replace the sand trap at Pump Station No. 24. Funds were originally budgeted for the sand trap replacement at Pump Station No. 27, which is at this time experiencing very few problems. However, the sand trap at Pump Station No. 24 has failed and requires immediate replacement. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$35,200 (contract \$32,000; engineering \$3,200); funds are budgeted.)

ACTION: Res. 85-112 adopted calling for bids. (Eng to handle)

CONSENT

6. Consider acceptance of Osterberg & Stewart, Inc.'s contract for the drilling, casing and development of Well No. 45 (Original contract: \$20,809.20)
(All work on this project has been completed to the satisfaction of the Utility Services and Engineering Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$24,229.20; funds are budgeted.)

ACTION: Res. 85-113 adopted accepting work as complete. (Clerk to handle)

7. Consider acceptance of Sports Surfacing's contract for the Modesto High School tennis courts. (Original contract: \$151,308.34)
(All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$151,045.02; funds are budgeted.) (Councilmember Lang will be excused due to a conflict of interest.)

ACTION: Res. 85-114 adopted (Sutton/Whiteside, unan., Bright and Lang absent) accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

8. Letter from Downtown Improvement District requesting the use of downtown sidewalks for a sidewalk sale March 13 through March 16, 1985.
(Motion approving needed.)

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

CONSENT

9. Letter from Pellegrino Scarpinati regarding mobile vending cart business.
(Motion referring to staff for recommendation needed.)

ACTION By motion, request referred to staff for recommendation.
(Management Services to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

11. Consider terminating AMTRAK feeder bus service from Modesto to the Riverbank AMTRAK station.
(Memo with agenda. Caltrans has indicated they are no longer willing to fund 50% of the cost for providing feeder bus service to and from the Riverbank AMTRAK station. It is recommended that the service be terminated on March 30, 1985. Resolution approving termination of feeder bus service after March 30, 1985 needed.)

ACTION: Res. 85-115 adopted approving termination of service.
(Parking & Traffic to handle)

CONSENT

12. Consider ordinance repealing Section 6-1.210 of the Modesto Municipal Code which regulates itinerant auctioneers.
(As of January 1, 1985, new Section 5714(c) of the Business and Professions Code expressly prohibits local agencies from placing any business license tax on itinerant auctioneers. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2319-C.S. adopted. (Clerk to handle)

CONSENT

13. Consider approving agreement with John Arrington for the lease of 1813 W. Hatch Road, a single family residence purchased for Tuolumne River Regional Park.
(This is a one year lease. Mr. Arrington will pay \$325 per month, utilities, and possessory interest taxes. These are the same terms as the former tenant. Resolution approving agreement needed.)

ACTION: Res. 85-116 adopted approving agreement. (Utility Serv to handle)

CONSENT

14. Consider approval of the final map of Valley Oak subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers:
Valley Oak Associates
(The subdivision agreement has been signed and all fees paid. Valley Oak subdivision is located on the east side of Oakdale Road between Merle Avenue and Floyd Avenue. It contains 8.838 acres. Resolution approving final map needed.)

ACTION: Res. 85-117 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider setting hearing to consider revisions to the Conflict of Interest Code of the City Attorney's office to add Assistant City Attorney and Senior Deputy City Attorney I, II with disclosure category 1 and delete Assistant City Attorney I, II and Annexation/Relocation Assistant with disclosure category 1.
(Resolution setting hearing March 12, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-118 adopted setting hearing. (Clerk to handle)

CONSENT

16. Reschedule date for public hearing for proposed Briggs Avenue No. 2 Governmental Reorganization.
(On January 16, 1985, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The governmental reorganization would include two rural residential parcels and a vacant parcel located west of Franklin Street between Briggs Avenue and California Avenue. These parcels total 10.328 acres and contain two existing dwellings. There are four registered voters within the annexation. There will not be a meeting on March 26, the date originally set for the hearing. The hearing should be rescheduled for April 9, 1985. Resolution setting hearing on April 9, 1985, at 7:30 p.m., needed.)

ACTION: Res. 85-119 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

17. Appointments

ACTION: Res. 85-120 adopted (Muratore/Whiteside, unan., Bright absent) appointing Frances Eakin to the Culture Commission. (Clerk to handle)

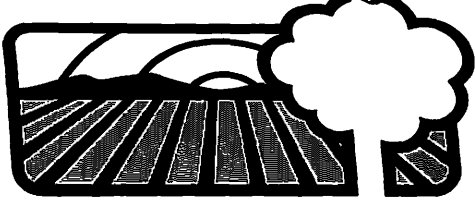
18. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

ACTION: Res. 85-121 adopted (Lang/Muratore, unan., Bright absent) approving recommended insurance coverage. (Mgmt Services to handle)

ADJOURNMENT

The meeting adjourned at 8:07 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 5, 1985, AT 4:00 P.M.

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

Absent: Councilmember Bright

Pledge of allegiance to the Flag

Invocation: Rev. Randy G. Keyes, United Pentecostal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9, 10,
12, 13, 14, 15, 16, 17

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

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Outstanding Certificate awarded to the City of Modesto by the California Society of Municipal Finance Officers for financial reporting excellence - Fiscal Year 1983-84.
(Memo with agenda.)

Certificate presented by Mayor Mensinger to Pete Brock.

Mayor Mensinger commended Rev. Keyes and his congregation on rehabilitating a building that was an eyesore into a beautiful church building.

MINUTES

CONSENT

2. Approval of the minutes of the February 26, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2319-C.S. repealing Section 6-1.210 of Article 2 of Chapter 1 of Title VI of the Modesto Municipal Code relating to Auctioneer, Itinerant.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2319-C.S. adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 47.
(Suggested bid opening: March 19, 1985, at 11:00 a.m. The development of this well, which is located northeast of the intersection of Lincoln Avenue and Dry Creek Drive will increase the reliability of the water system in the area. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,378.20 (contract \$22,162; engineering \$2,216.20); funds are budgeted.)

ACTION: Res. 85-122 adopted calling for bids.

(Eng. to handle)

CONSENT

5. Consider declaring Totec Co., Ltd., low bidder and authorize the purchase of one optical character reader from the firm for the total price of \$11,296.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 85-123 adopted authorizing purchase.

(Finance to handle)

CONSENT

6. Consider award of contract for the installation of carpet at the Police Department.
(Bids were opened on February 26, 1985. The low bid of \$18,064.20, submitted by House of Carpets, is less than 1% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to House of Carpets. Memo and bid tabulation with agenda. Resolution awarding contract to House of Carpets needed. Funds are budgeted.)

ACTION: Res. 85-124 adopted awarding contract.

(Eng. to handle)

CONSENT

7. Consider award of contract for the construction of metal storage building at Fire Station No. 4.
(Bids were opened on February 26, 1985. The low bid of \$28,375.20, submitted by Howell Construction, is 25.36% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Howell Construction needed. Funds are budgeted.)

ACTION: Res. 85-125 adopted awarding contract. (Eng. to handle)

CONSENT

8. Consider award of contract for the construction of wading pool at East La Loma Park.
(Bids were opened on February 26, 1985. The low bid of \$61,547, submitted by Ireland's Pools is 4.14% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Ireland's. Memo and bid tabulation with agenda. Resolution awarding contract to Ireland's Pools needed. Funds are budgeted.)

ACTION: Res. 85-126 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider acceptance of Clyde Wheeler's contract for the strengthening of the Ninth Street waterline from Tully to Coldwell. Original contract: \$58,240.
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$56,168; funds are budgeted.)

ACTION: Res. 85-127 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider waiving formal bid requirements and authorizing the purchase of nineteen police patrol cars through the State of California's Cooperative Purchasing Program for the total amount of \$234,769.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-128 adopted waiving formal bid procedures. (Finance to handle)

11.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

12. Consider approving lease agreement with West Air Commuter Airlines, Incorporated, for their operations at the Airport.
(This is a one year renewal of an existing lease. West Air pays rental (\$536.25) in the terminal and landing fees (approximately \$1,700 per month). All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 85-129 adopted approving agreement. (Utility Services to handle)

CONSENT

13. Consider authorizing the City Manager to execute a grant agreement with the U. S. Department of H.U.D. for \$76,000 in Federal Fiscal Year 1985 Rental Rehabilitation funds.
(Memo with agenda. The FY-1985 Rental Rehabilitation grant supplements the Federal FY-1984 appropriation of \$78,000 for deferred payment 5% direct loans to rental property owners in selected neighborhoods throughout the City. Resolution authorizing the City Manager to execute the grant agreement needed.)

ACTION: Res. 85-130 adopted approving agreement. (Planning to handle)

CONSENT

14. Consider approval of increase in swim lesson fees.
(Recommend an increase in swim lesson fees of \$1.00 to offset charge for course completion card by Stanislaus County Red Cross. Memo with agenda. Resolution approving swim lesson fee increase needed.)

ACTION: Res. 85-131 adopted approving swim lesson fee increase. (P/R to handle)

CONSENT

15. Consider acceptance of state grants for picnic shelters at Davis and Downey Community Parks.
(The State has approved the City's grant applications under the 1980 California Parklands Act. To receive these funds, City Council must accept the grant. Memo with agenda. Resolution accepting grants needed.)

ACTION: Res. 85-132 adopted accepting grant for Davis Community Park.
Res. 85-133 adopted accepting grant for Downey Community Park.
(P/R to handle)

CONSENT

16. Consider approval of letter agreement with Carl Waggoner for legal services for condemnation litigation.
(The City currently has eleven condemnation actions pending. These cases were primarily handled by the Assistant City Attorney who has left City employment to become City Attorney of another city. It is proposed to retain the services of a private attorney to assist the City in handling these cases. Memos with agenda. Resolution approving letter agreement needed. Funds are budgeted.)

ACTION: Res. 85-134 adopted approving agreement. (Atty to handle)

MISCELLANEOUS

CONSENT

17. Legislation:

Staff recommends supporting AB 324 (Sher) - Conflicts of Interest.
(Memo and attachments with agenda. Motion accepting staff recommendations needed.)

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

18. Appointments

None

19.

MATTERS TOO LATE FOR THE AGENDA

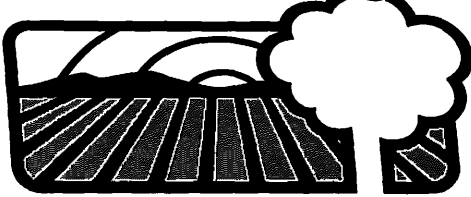
(These may be presented by members of the City Council and staff.)

Mayor Mensinger asked citizens who differ with the Rand-McNally report to write to that company and express their views.

ADJOURNMENT

Meeting adjourned at 4:15 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 12, 1985, at 7:30 P.M.

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

Absent: Councilmember Bright

Pledge of allegiance to the Flag

Invocation: Rev. Ray Langley, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 14,
15, 17, 19, 20, 21, 22, 23, 24,
Removed from Consent: 26a 25, 26 b,c,d

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

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of resolution sending greetings to the City of Khemlnitskiy in the Ukraine, Russia.
(Resolution sending greetings needed.)

ACTION: Res. 85-135 adopted (Muratore/Patterson, unan., Bright absent, sending greetings.)

MINUTES

CONSENT

2. Approval of the minutes of the March 5, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing on revisions to the City Attorney's Conflict of Interest Code.

ACTION: Res. 85-136 adopted (Patterson/Lang, unan., Bright absent) revising Code.
(Clerk to handle)

4. Hearing to consider an amendment to Section 30-3-9 of the Zoning Map to repeal P-D(230) and rezone to M-1, property located at the northwest corner of Kansas Avenue and Lone Palm Avenue (Kansas Business Park).
Councilmember Sutton excused due to a potential conflict of interest.

ACTION: By motion (Lang/Whiteside, unan., Bright, Sutton absent) Ord. No. 2320-C.S. introduced.

Res. 85-137 adopted (same vote) certifying review of Environmental Assessment.

BIDS

(Clerk to handle)

5. Consider approval of plans and specifications and call for bids for the construction of curbs, gutters, and sidewalks, and paving of alleys in Housing Target Area No. 3.

(Suggested bid opening: April 2, 1985, at 11:00 a.m. This project is federally funded and will provide curb, gutter, sidewalk and alley paving in the area south of Modesto High School, a 12 city block area bounded by Sutter Avenue, Tuolumne Boulevard, Roselawn Avenue and South Avenue.

Resolution approving plans and specifications and call for bids needed.

Estimated cost: \$324,468.10 (contract \$294,971; engineering \$29,497.10);

funds are budgeted.) (Councilmember Lang will be excused due to a potential conflict of interest.)

ACTION: Res. 85-138 adopted (Whiteside/Muratore, unan., Bright and Lang absent) calling for bids.
(Eng. to handle)

CONSENT

6. Consider approval of plans and specifications and call for re-bids for the reroofing of the Fire Prevention Bureau.

Suggested bid opening: March 26, 1985, at 11:00 a.m. Bids were originally opened on November 20, 1984. Only one bid was received which was 29% above the engineer's estimate and considered unacceptable. Staff feels that if the project is re-bid now in the spring, the contractors' work should be at a lull and we may be able to receive more competitive bids. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$8,555.67 (contract \$7,777.88; engineering \$777.79); funds are budgeted.)

ACTION: Res. 85-139 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened April 9, 1985, at 3:00 p.m. for furnishing pump controls and pressure transmitters.
(Requested by Engineering Services, the controls and transmitters will be used to upgrade the automatic water pumping control stations located throughout the City which will then be controlled by the central water automation computer. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$13,000; funds are budgeted.)

ACTION: Res. 85-140 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the installation of 14 aerators at the City of Modesto pond site on Jennings Road.
(Suggested bid opening: April 2, 1985, at 11:05 a.m. This project will provide for the installation of 14 aerators purchased from Aqua Aerobic Systems. Four of the aerators will be replacements and the ten additional units will be installed in conjunction with the treatment plant expansion project. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$173,214 (contract \$157,214; engineering \$16,000); funds are budgeted.)

ACTION: Res. 85-141 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the installation of sewer line at the American Legion Hall.
(Suggested bid opening: March 26, 1985, at 11:05 a.m. This project will provide sewer service to the American Legion Hall in order to abandon the septic tank which now serves that location. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$17,710 (contract \$16,100; engineering \$1,610); funds are budgeted.)

ACTION: Res. 85-142 adopted calling for bids. (Eng. to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the construction of parking lots at Tuolumne River Regional Park.
(Suggested bid opening: April 2, 1985, at 11:10 a.m. This project consists of constructing parking areas for the newly developed playground and picnic area. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$197,498 (contract \$179,544; engineering \$17,954); funds are budgeted.)

ACTION: Res. 85-143 adopted calling for bids. (Eng. to handle)

CONSENT

11. Consider declaring Western Lawn equipment, Modesto Ford Tractor, Inc., Duke Equipment & Irrigation and Vermeer Sales and Service the lowest bidders meeting specifications and authorize the issuance of purchase orders for turf equipment.
(Memorandum with agenda. Resolution declaring four companies low responsible bidders meeting specifications and authorizing the issuance of purchase orders needed. Estimated cost: \$103,405; funds are budgeted.)

ACTION: Res. 85-144 adopted awarding contracts. (Finance to handle)

CONSENT

12. Consider declaring Aqua-Aerobic Systems, Inc. sole bidder and authorize the purchase of fourteen 40-horsepower aerators plus required cable and appurtenances to install units for a total amount of \$163,741.
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-145 adopted authorizing purchase. (Finance to handle)

13. Consider authorizing the purchase of all three phases of telecommunications consultant services proposed by Walsh-Lowe & Associates for the total amount of \$20,000.
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-146 adopted (Whiteside/Sutton, unan., Bright absent) authorizing purchase. (Finance to handle)

CONSENT

14. Consider acceptance of Barton Overhead Door's contract for the Corporation Yard door replacement. (Original contract: \$16,964)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$17,404; funds are budgeted.)

ACTION: Res. 85-147 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Conco-West, Inc.'s contract for the Floyd Avenue water line extension. (Original contract: \$19,125)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$18,525; funds are budgeted.)

ACTION: Res. 85-148 adopted accepting work as complete. (Clerk to handle)

16. MATTERS FOR THE GOOD OF THE COMMUNITY

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

Mayor Mensinger and Councilmember Whiteside excused due to a potential conflict of interest.

Dave Dolan asked that the Culture Commission meeting on the 14th be televised. The City Manager said his office has been looking into the possibility. Mr. Dolan also mentioned a meeting concerning the G & W Building.

3/12/85

NEW BUSINESS

CONSENT

17. Consider parking charges for small parking lot next to Crocker Bank. (Memo with agenda. It is recommended that a charge of \$25/month be established and that the spaces be reserved. Resolution establishing the parking charge as recommended needed. Estimated cost: \$200; funds are budgeted.)

ACTION: Res. 85-149 adopted establishing parking charge. (P.T. to handle)

CONSENT

19. Consider authorizing the City Manager to execute a maintenance agreement with Stanislaus County for nine pipeline crossings of County road right of way. (Stanislaus County requires that we sign a maintenance agreement to provide all future maintenance on the nine crossings of the County roadways. Resolution approving agreement needed.)

ACTION: Res. 85-150 adopted approving agreement. (Utility Serv. to handle)

CONSENT

20. Consider granting rights of way easements to Turlock Irrigation District for electrical power line extensions needed to serve the Water Quality Control Expansion Project at the remote ponds for Units 2 and 3. (Turlock Irrigation District requires that easements be granted before the district will extend electrical power lines to serve new facilities. Memo with agenda. Resolution approving right of way and easement grants needed.)

ACTION: Res. 85-151 adopted approving right of way and easement grants. (Utility Serv. to handle)

CONSENT

21. Consider authorizing City Manager to sign agreement with Dry Creek Investments for storm drain installation in Dry Creek Mobile Home Estate, located on the west side of Cedar Creek Drive between Parker Road and East Orangeburg Avenue. (Improvement plans for Dry Creek Mobile Home Estate requires installation of a 30-inch storm drain trunk line in East Orangeburg Avenue. Developer has requested permission to install the line to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Resolution approving agreement needed. Estimated cost: \$20,000 (contract \$17,660; contingencies \$2,340; funds are budgeted.)

ACTION: Res. 85-152 adopted approving agreement. (Eng. to handle)

CONSENT

22. Consider authorizing City Manager to sign a three year term lease agreement with HYE Investments, owner of the commercial office building at 401 "H" Street used by the Housing Program Office. (Memo with agenda. The Housing Program Office has leased this building for the administration of community development activities funded by an annual HUD Community Development block grant. Resolution approving lease agreement needed. Estimated total cost: \$41,613 total for three years; funds are budgeted.)

ACTION: Res. 85-153 adopted approving lease agreement. (Planning to handle)

CONSENT

23. Request for refund of \$576.31 overpayment of Business License Tax - Gasco Oil.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-154 adopted approving refund. (Finance to handle)

CONSENT

24. Presentation of monthly Financial Statement and monthly Treasurer's Report for February, 1985.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of reports needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Set date for public hearing for proposed amendment to the Land Use and Circulation Elements of the Modesto Urban Area General Plan, Yosemite Trunk Sewer Extension.
(On February 19, 1985, the Planning Commission adopted a resolution recommending to the City Council that it certify review of the Final Supplemental EIR and approve the proposed General Plan Amendment redesignating the eastern portion of the Yosemite Neighborhood from Urban Reserve to Urban. Staff recommends that the hearing be set for April 9, 1985. Memo with agenda. Resolution setting hearing April 23, 1985 at 7:30 p.m. needed.)

ACTION: Res. 85-155 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation: Staff recommends:

Strongly supporting

- a. SB 290 (Foran) - Comprehensive Transportation Funding Package.

ACTION: By motion (Muratore/Whiteside, unan., Bright absent) recommendation approved.

CONSENT

26. Legislation: Staff recommends:

Opposing

- b. AB 190 (Floyd) and AB 525 (W.Brown)-Mandatory Peace Officer Time Bank.
c. AB 512 (Floyd) - Union Veto of PERS Contract Amendments.
d. AB 564 (O'Connell) Workers' Compensation: Cancer Presumption for Peace Officers.

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

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

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

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

The meetings of the Culture Commission on March 14 and 18, concerning the Community Center were announced.

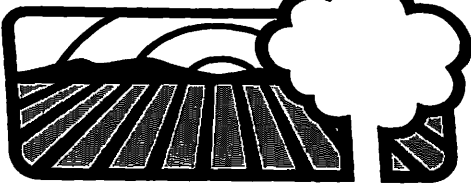
Vice Mayor Patterson asked that an item be placed on the next agenda to discuss the E.D.A. grant application, the Hammons proposal, and the property proposed for the garage. (Mgr. to handle)

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 19, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Benjamin Meyer, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 7, 8, 10, 11, 12, 15, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30

ACTION: (Lang/Whiteside, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Distinguished Service Awards to Bette Belle Smith and J. D. Grothe. Mayor Mensinger presented the awards.
2. Suggestion award to Melvin Williams (\$50) - Management Services employee for suggesting the implementation of "Please Use Handrail" signs on all floors near staircases.

Mayor Mensinger presented the check.

MINUTES

CONSENT

3. Approval of the minutes of the March 12, 1985, regular City Council meeting.
(Motion approving needed.)

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

4. Final adoption of Ord. No. 2320-C.S. repealing P-D(230) and rezoning to M-1 property located on the northwest corner of Kansas Avenue and Lone Palm Avenue (Kansas Business Park).
(Councilmember Sutton will be excused due to a conflict of interest.)
(Motion approving needed.)

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent, Ord. No. 2320-C.S. adopted. (Clerk to handle)

HEARINGS

5. Appeal of Mid-Valley Engineering, on behalf of Resource Development, to a Planning Commission decision denying an application to rezone from R-2 to P-D, property located on the south side of Pelandale Avenue, west of Blue Bird Drive.

ACTION: Res. 85-156 adopted (Lang/Bright, majority, Muratore, Sutton, Whiteside-no) denying appeal and certifying review of Environmental Assessment. (Clerk/Planning)

6. Hearing to consider amendment to Sec. 8-3-9 of the Zoning Map to rezone from P-D(294) to R-3, property located on the south side of Standiford Avenue east of Colonial Drive (Duane Huff).

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2321-C.S. introduced, rezoning to R-3. (Clerk to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened April 30, 1985, at 3:00 p.m. for furnishing one maintenance truck with service crane.
(Requested by the Utility Services, Department, the truck will be used to service sewerage pumps presently being installed under the treatment plant expansion project. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000. Funds are budgeted.)

ACTION: Res. 85-157 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened April 9, 1985, at 3:05 p.m. for furnishing fertilizer. (This material will be used by the Parks and Recreation Department to fertilize various parks throughout the City. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,500. Funds are budgeted.)

ACTION: Res. 85-158 adopted calling for bids. (Finance to handle)

9. Consider award of contract for alley paving in Block 842. (Bids were opened on February 26, 1985. The low bid of \$11,111, submitted by George Reed, Inc., is 39.24% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to George Reed, Inc. Memo and bid tab with agenda. Resolution awarding contract needed. Funds are budgeted.) (Councilmember Sutton will be excused due to a conflict of interest.)

ACTION: Res. 85-159 adopted (Whiteside/Patterson, unan., Sutton absent) awarding contract. (Eng. to handle)

CONSENT

10. Consider award of contract for replacement of sand trap at Well No. 24. (Bids were opened on March 12, 1985. The low bid of \$26,700, submitted by Central Pump Co., is 16.56% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Central Pump Co., Memo and bid tab with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 85-160 adopted awarding contract. (Eng. to handle)

CONSENT

11. Consider award of contract for the construction of wastewater treatment and disposal facilities, Units No. 2 and 3. (The low bid of \$35,920,600 was submitted by Homer J. Olsen, Inc. The staff has reviewed the low bid and has requested and received approval to award the contract from the State Water Resources Control Board. It is recommended by staff that the construction contract be awarded to Homer J. Olsen, Inc. Memo with agenda. Resolution awarding the contract needed. Estimated cost: \$38,936,100 (construction - \$35,920,600; contract administration - \$1,219,500; contingencies - \$1,796,000) Funds are budgeted.)

ACTION: Res. 85-161 adopted awarding contract. (Utility Serv. to handle)

CONSENT

12. Consider rejecting bids on four sedans and nine stepside pickup trucks and authorize the purchase through the State of California Cooperative Purchasing Program for the total amount of \$113,790; and consider declaring Steves Chevrolet-Buick, Inc. low bidder on one 1/2-ton long wheel base truck, one 1/2-ton truck w/side boxes, and two 3/4-ton stepside trucks and authorize the purchase for the total amount of \$43,656. (Memo with agenda. Resolution rejecting bids on sedans and stepside pickup trucks and authorizing purchase through the State of California's Cooperative Purchasing Program; and resolution authorizing the purchase of trucks from Steves Chevrolet-Buick needed. Estimated cost: \$157,446. Funds are budgeted.)

ACTION: Res. 85-162 adopted rejecting bids and authorizing purchase through State of California Cooperative Purchasing Program.
Res. 85-163 adopted awarding bid to Steves Chevrolet-Buick, Inc. (Finance to handle)

WRITTEN COMMUNICATIONS

13. Letter from the Modesto Chamber of Commerce recommending an increase in the transient occupancy tax.
(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: By motion (Sutton/Muratore, unan., Whiteside and Mayor Mensinger absent) Ord. No. 2322-C.S. introduced. (Clerk to handle)

14. Letter from Samuel Oppenheim concerning campaign spending.

ACTION: By motion (Bright/Sutton, unan.) the Councilmembers were asked to get their comments and reactions to the Mayor in writing by April 15, and that the matter be referred to staff to study, taking Councilmember comments into consideration, send a copy of the proposal to the School Board for its consideration and comments, and make a recommendation to the City Council as soon as possible. (Atty/Clerk to handle)

CONSENT

15. Application on behalf of Soletha Maines for permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 85-164 adopted denying request. (Clerk to handle)

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

None

NEW BUSINESS

17. Consider IRS request for reserved parking spaces in 4-level 11th Street garage.
(Memo with agenda. Four spaces are requested on the first floor. The DMA opposes the request. The DID approves the request, but not at the first floor location requested. Motion directing staff needed.)

ACTION: By motion (Whiteside/Bright, unan.) request denied. (P.T. to handle)

18. Set joint public hearing with Redevelopment Agency on Disposition and Development Agreement for a portion of the Modesto Redevelopment Project.
(Memo with agenda. Resolution setting joint hearing for April 16, 1985, at 4:00 p.m. needed.)
(Councilmember Whiteside and Mayor Mensinger to be excused due to a potential conflict of interest.)

ACTION: Res. 85-165 adopted (Muratore/Lang, majority, Patterson-no, Whiteside and Mayor Mensinger absent) setting hearing. (Clerk to handle)

CONSENT

19. Consider request of Carolyn F. Johnson Gamble for permission to pay costs of installation of curb and sidewalk on time payments and rescind Resolution 85-45.

Mrs. Gamble states that she did make written request for time payments. She believes that the request may have been lost in the mail since the City never received it. The property is located at 717 Spencer, California Avenue frontage. Staff recommends payment over a 10 year period. Resolution approving time payments needed.

ACTION: Res. 85-166 adopted approving time payments. (Finance to handle)

CONSENT

20. Consider approving lease agreement with Joe Di Anna for the lease of the former Bomberger property purchased for Dry Creek Park.
(This is a one year lease. Mr. Di Anna is taking over the lease from Donald Scott. Mr. Di Anna will pay the same rent (20% of gross proceeds) and will maintain the property. Mr. Di Anna has farmed other City property for years. Resolution approving agreement needed.)

ACTION: Res. 85-177 adopted approving agreement. (Utility Serv. to handle)

CONSENT

21. Consider approving month-to-month agreement with Jerry E. and Andrea Powell for the lease of 1204 River Road (former Mancini house).
(Mr. Powell has lived in this house since April, 1983. He performs certain maintenance functions in the park in return for free rent. Mr. Powell was recently married and the new lease is to add his wife to the lease. Resolution approving agreement needed.)

ACTION: Res. 85-168 adopted approving agreement. (Utility Serv. to handle)

CONSENT

22. Consider approving lease agreement with William and Leonard E. Blickenstaff for the lease of Woodland Neighborhood Park site.
(This is a one year renewal of an existing lease. The Blickenstaff brothers pay the City 25% of their crop proceeds and maintain the property. They have been leasing the property since September, 1979, when the City acquired the property for park purposes. Resolution approving agreement needed.)

ACTION: Res. 85-169 adopted approving agreement. (Utility Serv. to handle)

CONSENT

23. Consider approving emergency services agreement with the County of Stanislaus.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$19,492. Funds are budgeted.)

ACTION: Res. 85-170 adopted approving agreement. (Fire to handle)

CONSENT

24. Consider joining, by membership, in the effort of "Californians for Better Transportation" to help educate the public and make them aware of problems in transit and local streets and roads.
(The "CBT" is attempting to help the public understand the needs and support new funding in the future for the local street and transit infrastructure. Memo with agenda. Resolution approving payment of \$750 for membership needed. Funds are budgeted.)

ACTION: Res. 85-171 adopted approving payment. (Utility Serv. to handle)

CONSENT

25. Consider amending Modesto Municipal Code to change deadline for written communications to coincide with the deadline established for all other items.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2323-C.S. introduced. (Clerk to handle)

CONSENT

26. Consider accepting grant offer for federal funding for the Regional Airport Study.

(On April 24, 1984, the City Council authorized Staff to submit a joint application for federal funding in the amount of \$107,100 for a Regional Airport Study with Stanislaus and San Joaquin Counties. The FAA has forwarded the grant agreement for processing at this time. Memo with agenda. Resolution authorizing City Manager to execute grant agreement on behalf of City. Estimated cost: \$3,000. Funds are budgeted.)

ACTION: Res. 85-172 adopted accepting grant offer. (Utility Serv. to handle)

CONSENT

27. Consider consenting to amendment of the Declaration of Covenants, Conditions and Restrictions for Standiford Square, a residential condominium project.

(This is a recorded subdivision. The developer has requested that the City consent to a revision of the Declaration. The revision would omit Parcel B from Exhibit "A", the description of the project, as Parcel B is a commercial development and should not be included in the description. The revision is acceptable to staff. Resolution consenting to amending of the Declaration of Covenants, Conditions and Restrictions needed.)

ACTION: Res. 85-173 adopted consenting to amend Declaration of Covenants, Conditions and Restrictions. (Atty to handle)

CONSENT

28. Consider final approval of issuance of up to \$8.8 million of multi-family mortgage revenue bonds - Shadowbrook Apartments.

(Shadowbrook Investments seeks final approval of a multi-family mortgage revenue bond issue to finance Shadowbrook, a 296-unit multi-family development to be located on Standiford Avenue and Hahn Drive, P-D(355). Memo with agenda. Resolution authorizing the issuance, sale, and delivery of City of Modesto, California, Multi-family revenue bonds, Series A of 1985 (Shadowbrook Apartment Project) and providing other matters properly relating thereto.)

ACTION: Res. 85-174 adopted approving issuance of revenue bonds. (Planning to handle)

CONSENT

29. Set date for public hearing for Code text amendment - Comprehensive Revision to the Zoning Regulations (Omni 8).

(The Planning Commission has committed 21 study sessions to this proposal to arrive at a recommendation to the City Council, copies of which are available in the Planning and Community Development office. Two adjourned regular meetings are recommended for the review of the proposal: April 2, 1985, at 7:30 p.m., pages 1 to 123; and May 7, 1985, 7:30 p.m., pages 124-254. Resolution setting public hearings on April 2 and May 7, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-175 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

30. Legislation: Staff recommends:

SUPPORTING:

AB 2456 (Connelly), Increase in Insurance Minimums

SB 75 (Foran), AB 230 (McAlister), SB 934 (Seymour), Joint Liability Legislation

Fair Labor Standards Act (FLSA), removal of public agencies from the FLSA.

OPPOSING:

SB 286 (Ellis), Outdoor Advertising: On-Premises Displays

ACTION: By motion, staff recommendations approved.

31. Appointments

None

32.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 85-176 adopted (Lang/Sutton, majority, Patterson-no, Whiteside and Mayor absent) with intention indicated to rezone the community center site and matter referred to Planning Commission. (Planning to handle)

ADJOURNMENT

The meeting adjourned at 7:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk

March 27, 1985

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

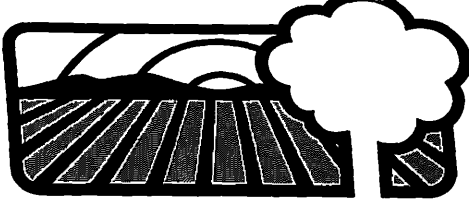
Present: Acting Mayor Patterson

Absent: Councilmembers Bright, Lang, Muratore, Sutton, Whiteside, and Mayor Mensinger

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

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 2, 1985, AT 4:00 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Glenn Sayers, Seventh Day Adventist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 27, 28, 29, 31

Removed from consent: 26, 30

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

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Letter of congratulations and commendation to John Baughman for top scores awarded by the National Forensics League.

Mayor Mensinger presented the letter to John Baughman, and introduced W.L. (Bill) Seavy, Stanislaus District Manager of P.G. & E.

MINUTES

CONSENT

2. Approval of the minutes of the March 19, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

3. Final adoption of:

- a. Ord. No. 2321-C.S. repealing P-D(294) and rezoning to R-3, property located on the south side of Standiford Avenue east of Colonial Drive (Tierra Plaza).
- b. Ord. No. 2323-C.S. amending Section 2-1.11 of Chapter 1 of Title II of the Modesto Municipal Code relating to addressing the Council.

(Motion adopting needed.)

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

- 4. Final adoption of Ord. No. 2322-C.S. amending Section 8-2.603 of Article 6 of Chapter 2 of Title VIII of the Modesto Municipal Code relating to Transient Occupancy Tax.**
(Motion adopting needed. Councilmember Whiteside and Mayor Mensinger will be excused due to a potential conflict of interest.)

ACTION: By motion (Lang/Muratore, unan., Sutton, Whiteside, Mayor Mensinger absent) Ord. no. 2322-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

- 5. Consider approval of plans and specifications and call for bids for Beyer Community Park.**
(Suggested bid opening: April 23, 1985, at 11:00 a.m. This phase of Beyer Community Park construction will consist of clearing, sidewalks and play area, and installation of a pedestrian footbridge, play apparatus, irrigation, landscaping and a security lighting system. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$157,026.10 (contract \$142,751; engineering \$14,275.10); funds are budgeted.

ACTION: Res. 85-177 adopted calling for bids. (Eng to handle)

CONSENT

- 6. Consider approval of plans and specifications and call for bids for coating/insulation of Digester No. 1 at the Water Quality Control Plant.**
(Suggested bid opening: April 30, 1985, at 11:00 a.m. This project will provide for the removal of the existing deteriorated insulation system on Digester No. 1 and installation of a new urethane insulating system. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$108,325 (contract \$98,325; engineering \$10,000); funds are budgeted.)

ACTION: Res. 85-178 adopted calling for bids. (Eng to handle)

CONSENT

- 7. Consider approval of plans and specifications and call for bids for the construction of sub-station "A" at the Water Quality Control Plant.**
(Suggested bid opening: April 23, 1985, at 11:05 a.m. Memo with

agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$124,000 (contract - \$113,000; engineering - \$11,000). Funds are budgeted.)

ACTION: Res. 85-179 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider seeking bids for two new (replacement) buses.
(Memo with agenda. The two new buses will relegate two older buses to spare status. Two different types of buses are specified for comparison. Only one type will be bought. Resolution approving the bidding, specification and contract documents and calling for bids to be opened at 3:00 p.m. on June 4, 1985, needed. Estimated cost: \$302,500. Funds are budgeted.)

ACTION: Res. 85-180 adopted calling for bids. (P/T to handle)

CONSENT

9. Consider award of contract for the drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 47, located northeast of the intersection of Lincoln Avenue and Dry Creek Drive.
(Bids were opened on March 19, 1985. The low bid of \$20,901.20, submitted by Osterberg & Stewart, Inc. is 5.69% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Osterberg & Stewart, Inc. Funds are budgeted.)

ACTION: Res. 85-181 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for the Fire Prevention Bureau roofing.
(Bids were opened on March 17, 1985. The low bid of \$8,800 submitted by Central Valley Roofing is 13% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Central Valley Roofing needed. Funds are budgeted.)

ACTION: Res. 85-182 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the installation of sewer line to serve the American Legion Hall.
(Bids were opened on March 26, 1985. The low bid of \$12,140, submitted by Joe Martin Pipeline, Inc., is 24.6% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Joe Martin Pipeline, Inc. Resolution awarding contract to Joe Martin Pipeline needed. Funds are budgeted.)

ACTION: Res. 85-183 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider declaring certain property and equipment as surplus to City needs and authorizing the Purchasing Officer to advertise and sell the items on a sealed bid basis.
(Memo and listing of surplus property with agenda. Resolution declaring property and equipment surplus to City needs and authorizing sale by sealed bid needed.)

ACTION: Res. 85-184 adopted declaring property surplus. (Finance to handle)

CONSENT

- 13. Consider rescinding Res. 85-157 which authorized call for bids to be opened April 30, 1985, at 3:00 p.m. for furnishing one maintenance truck with service crane.
(Federal grant funding for this vehicle was originally approved by the State of California Water Resources Control Board. State grant reviewers have now discovered that a Federal audit guide prohibits the purchase of vehicles. The City will appeal this grant restriction. Resolution rescinding Res. 85-157 which authorized the call for bids needed.)

ACTION: Res. 85-185 adopted rescinding Resolution. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

- 15. Consider authorizing the City Manager to execute an embankment drainage agreement with the Turlock Irrigation District to allow embankment drainage waters to flow into a T.I.D. drainage ditch.
(T.I.D. requires that we enter an agreement in order to use the ditch for drainage. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-186 adopted approving agreement. (Utility Services to handle)

CONSENT

- 16. Consider joining in an amicus curiae brief in the case of Sports Arenas, Inc. et al. v. City of San Diego, et al. relating to enforcement of conditional use permits.
(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

ACTION: By motion, authorized to join in amicus curiae brief. (Atty to handle)

CONSENT

- 17. Requirement for construction of curbs and/or sidewalks at the locations listed below. (83/03/02 - 85/02/01)
 - a. Curb along Howard Street at 316 Burney Street, a portion of Block 208. (Flora Monschein)
 - b. Curb at 127 Howard Street, Lot 3 of Block 205 (Louis Nicolodi)
 - c. Curb at 117 Howard Street, Lot 2 of Block 205 (David E. Spencer)
 - d. Curb at 115 Howard Street, a portion of Block 205 (Antonio Tovar)
 - e. Curb along Howard Street at 320 Burney Street, a portion of Block 208 (Larry Williams)
 - f. Curb along Dawn Drive at 1244 Melrose Avenue, Lot 21 of Block 1125 (George E. Hillman)
 - g. Sidewalk at 329 El Vista Avenue, Lot 17 of Block 2260 (Milano and Montoya)

n. Sidewalk at 2423 and 2437 Yosemite Boulevard, a portion of Block 2401 (Vito N. Pantaleo)

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notices. Resolution setting hearing April 23, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-187 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approval of LAFCO questionnaire indicating no opposition to Standiford Avenue No. 4 Governmental Reorganization. (Proponents propose annexation of 43.4 acres located on the south side of Standiford Avenue, west of Prescott and on the south side of Veneman Avenue west of M.I.D. Lateral No. 7. Submittal of a questionnaire to LAFCO with the application is necessary. Memo and map with agenda. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 85-188 adopted responding favorably to proposed annexation. (Planning to handle)

CONSENT

19. Consider approving lease agreement with Kias A. and Gwendolee Williams for the lease of five vacant lots of West Hatch Road for a garden. (This is a one-year renewal of an existing lease. The Williams' have been leasing the lots since 1980. They only pay \$1.00 per year but save the City from having to maintain the lots. Resolution approving agreement needed.)

ACTION: Res. 85-189 adopted approving agreement. (Utility Serv. to handle)

CONSENT

20. Consider approving lease agreement with Joe DiAnna for the lease of the former Anderson, Kounias, and Hogin properties, portions of the former Sommerfeld, Maxwell and Simms properties and the Riverside Park site. (This is a one-year renewal of an existing lease. The tenant pays the City 20% of the gross proceeds from crops. Mr. DiAnna has been a City tenant for many years. Resolution approving agreement needed.)

ACTION: Res. 85-190 adopted approving agreement. (Utility Services to handle)

CONSENT

21. Consider Housing Authority request for City Council resolution supporting their preliminary loan application for low-rent public housing. (HUD requires a City Council resolution as part of the Housing Authority's preliminary application for construction of 75 units. Memo and proposed resolution with agenda. Resolution approving the application for preliminary loan for low-rent public housing needed.)

ACTION: Res. 85-191 adopted approving application for preliminary loan. (Planning to handle)

CONSENT

22. Consider approving agreement with Donald H. and Margaret D. Scott for the lease of the former Eula Scott property which was acquired for Dry Creek Park. (This is a one-year renewal of an existing lease. The Scotts pay 20% of their crop and maintain the property. They have been leasing the property since 1975. Resolution approving agreement needed.)

ACTION: Res. 85-192 adopted approving agreement. (Utility Serv. to handle)

23. Report on Landfill Alternatives - Waste-to-Energy.
(Report recommendations include: (1) Visiting existing waste-to-energy facilities; (2) Soliciting private sector interests and proposals for waste-to-energy facilities; (3) Exploring public ownership and risks in waste-to-energy facilities; and (4) Holding workshops with other community officials in the county to discuss report. Memo and report with agenda. Motion acknowledging receipt of report and approving recommendations needed. Estimated cost: \$2,500. Funds are requested in the mid-year budget adjustment report.)

ACTION: By motion (Whiteside/Bright, unan., Sutton absent) receipt of report acknowledged and recommendations approved. (Utility Serv.to handle)

CONSENT

24. Consider approving an agreement with Thompson-Hysell Engineers to provide survey services for the construction of Units 2 and 3 of the Sewer Treatment Plant Expansion Project.
(Survey work is needed to locate and lay out the facilities that will be constructed for the Units 2 and 3 Project. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$137,280. Funds are budgeted.)

ACTION: Res. 85-193 adopted approving agreement. (Utility Serv to handle)

CONSENT

25. Consider a no-cost amendment to agreement with Kennedy/Jenks Engineers, Inc., to correct a procedural deficiency regarding the Federal Clean Water Grant regulations.
(The Clean Water Grant regulations regarding procurement were modified before the City received the first Step 3 Grant. An amendment to agreement is needed to correct the procedural deficiency resulting from the change in regulations. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-194 adopted approving amendment to agreement.
(Utility Services to handle)

26. Consider approval of the final map of Cape Cod Estates No. 1 subdivision and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Pan Capital, World Investments No. 5, and World Investments No. 6.
(The subdivision agreement has been signed and all fees paid. Cape Cod Estates No. 1 is located south of Hatch Road and west of Ustick Road. It contains 16.243 acres. Resolution approving final map needed.)

ACTION: Res. 85-195 adopted (Lang/Bright, unan., Sutton absent) approving final map. (Eng to handle)

CONSENT

27. Consider entering into a lease purchase agreement with Municipal Leasing Associates for financing the acquisition of the Finance Department computer system.
(Memo with agenda. Resolution approving lease-purchase agreement with Municipal Leasing Associates needed. Estimated cost: \$145,000. Funds are budgeted.)

ACTION: Res. 85-196 adopted approving agreement. (Finance to handle)

CONSENT

28. Consider approving \$275 contribution to Senior Awareness Planning Committee for the May, 1985, Senior Citizens program, and authorizing special dial-a-ride service for persons attending the program. (Memo with agenda. Extra dial-a-ride service is requested for the May 4 and 19 events and free dial-a-ride service on May 19. Resolution approving an appropriation transfer of \$275 from the General Fund contingency reserve to provide funds, and a motion authorizing the extra dial-a-ride service and free rides needed. Estimated cost: \$625. Funds are partially budgeted.)

ACTION: Res. 85-197 adopted approving appropriation transfer.
By motion, authorized dial-a-ride service and free rides.
(P/T to handle)

CONSENT

29. Consider approving State agreement for 90% Federal funding of Pavement Marking Demonstration Program. (Memo with agenda. On December 13, 1983, the City Council approved an agreement to accept a \$316,260 (90%) Federal grant for the Pavement Marking Demonstration Program. This agreement refines the earlier agreement. Resolution approving agreement needed. Estimated cost: \$103,860. Funds are budgeted.)

ACTION: Res. 85-198 adopted approving agreement. (P/T to handle)

30. Consider fiscal year 1984-85 annual budget status report and proposed adjustments. (Report with agenda. Resolution amending the 1984-85 budget needed.)

ACTION: Res. 85-199 adopted (Patterson/Bright, unan., Sutton absent) amending budget. (Finance to handle)

MISCELLANEOUS

CONSENT

31. Legislation: Staff recommends:

Supporting:

SB 670 (Russell), Vehicle Speed Limits: Local Streets

SB 885 (Maddy), Immunity from Liability for Rescue by Public Agency Employees

Strongly supporting:

AB 1256 (Campbell), Installment Payments of Liability Judgments

Opposing:

SB 730 (Seymour), Restrictions on Local Taxing Authority

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

32. Appointments

ACTION: Res. 85-200 adopted (Lang/Whiteside, unan., Sutton absent) appointing Dr. David Gallagher to the Planning Commission, term to expire 1/1/87. (Clerk to handle)

33.

MATTERS TOO LATE FOR THE AGENDA

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

The City Manager said although there will be some items on the Redevelopment Agency agenda for April 16, the agreement with Hammons will be delayed until some time in May.

The City Attorney said the zoning text amendment concerning the satellite receivers will be considered by the Planning Commission soon.

The City Clerk informed the Council that a Council agenda packet is now being sent to the Library Reference Room each week.

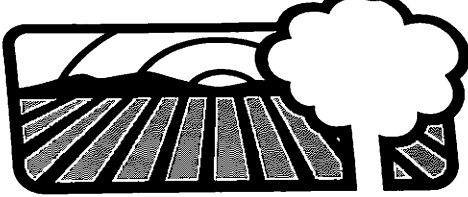
ADJOURNMENT

The meeting adjourned at 4:55 p.m. to 7:30 p.m., April 2, 1985, in the Modesto City Council Chambers to discuss the Planning and Zoning Title of the Municipal Code.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

Adjourned Regular Meeting
Modesto City Council
April 2, 1985

The Council of the City of Modesto met pursuant to adjournment at 7:30 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore, Patterson, Whiteside, Mayor Mensinger

Absent: Councilmember Sutton

The Director of Planning and Community Development reviewed the amendments to Title X, Planning and Zoning, of the Modesto Municipal Code, being proposed by the City staff and recommended by the Planning Commission.

By motion (Lang/Whiteside, unan., Sutton absent) intention was indicated to approve pages 1-26, concerning the Commission, Board, purpose, zones, and deleted zones.

By motion (Muratore/Whiteside, unan., Sutton absent) intention was indicated to approve pages 27-35, concerning P-0 and C-1 uses.

By motion (Patterson/Lang, unan., Sutton absent) intention was indicated to approve pages 36-42, C-2, C-3, and C-M uses.

By motion (Whiteside/Lang, unan., Sutton absent) pages 43-47, "M Uses," was referred back to staff to revise the proposal to provide for M-1 and M-2 zones.

By motion (Lang/Patterson, unan., Sutton absent) intention was indicated to approve pages 48-54, R-1 zone up to second units.

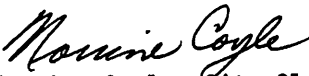
By motion (Bright/Whiteside, unan., Sutton absent) intention was indicated to approve pages 54-66, balance of R-1 zone, and staff directed to monitor second story additions to determine how many there are in a year's time.

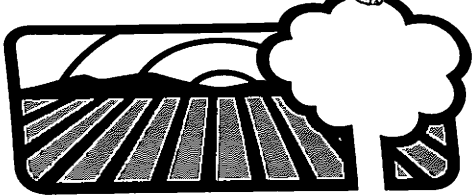
By motion, (Patterson/Lang, unan., Sutton absent) intention was indicated to approve pages 67-79, R-2 and R-3 zones.

By motion (Muratore/Whiteside, unan., Sutton absent) intention was indicated to approve pages 80-92, P-D and C-1 zones.

By motion (Whiteside/Bright, unan., Sutton absent) intention was indicated to approve pages 93-123, C-2, C-3, C-M, M, and P-D zones. (Staff notes that the industrial zoning may have to be revised based on the study of pages 43-47 that was requested earlier in the meeting.)

There being no further business, the meeting adjourned at 9:40 p.m.

ATTEST: 
Norrine Coyle, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 9, 1985, AT 7:30 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Joe Wright, Calvary Temple Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 11, 13, 14,
15, 16, 17, 20, 21, 22, 23, 24,
26, 27, 28

Removed from consent: 25

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

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular and adjourned regular meetings of April 2, 1985.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider the proposed Briggs Avenue No. 2 Governmental Reorganization.

ACTION: Res. 85-201 adopted (Lang/Muratore, unan., Sutton absent) approving Briggs Avenue No. 2 Governmental Reorganization. (Clerk to handle)

4. Hearing to consider appeal of Mid-Valley Engineering, on behalf of Robert Weeks, to a Planning Commission decision denying a request for a time extension for P-D(298), located at the southeast corner of Coffee Road and Sylvan Avenue.

ACTION: A motion to grant the appeal resulted in a tie vote (Lang/Bright; Patterson, Whiteside and Mayor Mensinger - no, Sutton absent)

By motion (Lang/Whiteside, unan., Sutton absent) hearing continued to April 23, 1985, at 7:30 p.m. (Clerk to handle)

5. Hearing to consider amendment to Sec. 12-3-8 of the Zoning Map to rezone from P-D(310) and R-1 to a new P-D(369) for a veterinary office and apartments located at the southwest corner of Standiford and Conant. (Michaelis - Tierra Development)

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent) Ord. No. 2324-C.S. introduced.

Res. 85-202 adopted (same vote) approving plan.

Res. 85-203 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider an amendment to P-D(336) to allow a previously approved mobile home park to be developed as a condominium, located at the northeast corner of Whitmore Avenue and Ustick Road. (Teunissen)

ACTION: By motion (Lang/Whiteside, unan., Sutton absent) Ord. No. 2325-C.S. introduced.

Res. 85-24 adopted (same vote) amending development plan. (Clerk to handle)

7. Hearing to consider an amendment to Sec. 9-3-9 of the Zoning Map to repeal P-D(295), which allows conversion of a 48-unit apartment development to a condominium, and rezone to R-2 property located at the southwest corner of Coffee Road and Grand Prix Drive. (Planning Commission initiated)

ACTION: By motion (Bright/Whiteside, unan., Sutton absent) Ord. No. 2326-C.S. introduced. (Clerk to handle)

BIDS

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened April 30, 1985, at 11:05 a.m., for furnishing fire hose nozzles. (Requested by the Fire Department, the fire hose nozzles will be installed on fire trucks at each of the stations. All of the nozzles will replace units currently in use. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000. Funds are budgeted.)

ACTION: Res. 85-205 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorizing call for the City's annual requirements of ready-mixed concrete products to be opened May 7, 1985, at 3:00 p.m. (The ready-mixed concrete products will be used by various City departments for new construction or repair projects. The concrete products will be purchased intermittently through the 1985-86 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,000. Funds will be included in 1985-86 budget.)

ACTION: Res. 85-206 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the construction of Tuolumne River Regional Park parking lots. (Bids were opened on April 2, 1985. The low bid of \$157,238, submitted by George Reed, Inc., is 12.42% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to George Reed, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc., needed. Funds are budgeted.)

ACTION: Res. 85-207 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider accepting Paradise Road flashing beacons contract as complete. (Memo with agenda. The contract was awarded to Collins Electrical Company on December 18, 1984, for \$10,500. There were no extra work items. Resolution accepting the contract as complete and authorizing filing of notice of completion needed. Funds are budgeted.)

ACTION: Res. 85-208 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of Conco-West's contract for the installation of Bellenita Park play apparatus. Original contract and final cost: \$19,990. All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete. Funds are budgeted.)

ACTION: Res. 85-209 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of irrigation line replacement in Orchard Neighborhood Park. Contractor: Clyde Wheeler Pipeline. Original contract and final cost: \$39,414.
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-210 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider award of contract for the installation of fourteen aerators at City of Modesto pond site on Jennings Road.
(Bids were opened on April 2, 1985. The low bid of \$205,305, submitted by Neth Construction, Inc., is considered acceptable. It is recommended that the contract be awarded to Neth Construction, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Neth Construction, Inc., needed. Funds are budgeted.)

ACTION: Res. 85-211 adopted awarding contract. (Eng to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from Sam Randy, Modesto Development and Investments, requesting use of the City parking lot on the west side of the Hotel Hughson for construction purposes.
(Motion referring request to staff to prepare agreement needed.)

ACTION: By motion request referred to staff. (P/T to handle)

18.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Whiteside and Mayor Mensinger excused due to a potential conflict of interest.

Daniel Marsh said he thought that "Phase 2" of the Community Center project should be done at the same time as "Phase 1".

NEW BUSINESS

CONSENT

20. Consider approval of agreement between the City and the Turlock Irrigation District regarding the abandonment of a T.I.D. water service line at Mancini Park.
(The water line on Mancini Park property is no long in use. Staff recommends abandonment of water line. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-212 adopted approving agreement. (P/T to handle)

CONSENT

21. Consider request for sewer service to property outside City limits at 801 Paradise Road, between Mayette Avenue and Florette Avenue. Owner: Maria B. Rodrigues.
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-213 adopted approving agreement. (Eng to handle)

CONSENT

22. Consider excusing Councilmembers Bright, Lang, Muratore, Whiteside, and Mayor Mensinger for being absent from the March 26 City Council meeting due to their attendance at the National League of Cities conference.
(Motion excusing absence needed.)

ACTION: By motion, absence excused.

CONSENT

23. Consider certifying right-of-way for Morton Boulevard guard rail project.
(Memo with agenda. The Federal Highway Administration requires certification as a condition of the 90% grant which will largely fund this \$43,000 project. Resolution certifying right-of-way needed. Funds are budgeted.)

ACTION: Res. 85-214 adopted certifying right-of-way. (P/T to handle)

CONSENT

24. Consider approving grant application for Federal funding to reconstruct approximately four acres of pavement/taxiways with drainage in the T-hangar area, approximately 2,700 linear feet of terminal access road, and a helicopter landing pad at the Modesto City-County Airport.
(On February 7, 1984, the Council approved the submission of a preapplication to the F.A.A. for the terminal access road and helicopter landing pad. On May 22, 1984, the Council approved the submission of a preapplication for approximately four acres of pavement/taxiways in the T-hangar area for a total of \$323,760. The tentative allocation has been approved. Memo with agenda. Estimated cost: \$426,400.
(Federal--\$323,760; City and County--\$51,320 each). Funds are budgeted.)

ACTION: Res. 85-215 adopted approving grant application.
(Utility Services to handle)

25. Consider proposal from the Modesto Airport Development Group and authorize staff to commence negotiations with this group for the construction of a restaurant/motel complex, passenger terminal, executive terminal, and future commercial development at the Modesto Airport.
(On February 5, 1985, the Council authorized staff to solicit proposals to construct a restaurant/motel complex and reconstruct the passenger terminal. March 22, 1985, was the last day to submit proposals. Staff

received one proposal from the Modesto Airport Development Group. Memo with agenda. Motion acknowledging receipt of proposal and authorizing staff to commence negotiations with developer needed.)

ACTION: By motion (Whiteside/Patterson, unan., Sutton absent) receipt of report acknowledged and staff authorized to commence negotiations. (Utility Services to handle)

CONSENT

26. Consider acceptance of improvements in Oakhaven Condominiums Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Resource Development. (Oakhaven Condominiums Subdivision is located on the south side of Floyd Avenue, west of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-216 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

27. Consider approval for annual claim for non-motorized funds for fiscal year 1985-86.
(Two projects are proposed for non-motorized funding in 1985-86: (1) A bike/pedestrian bridge across Dry Creek and a bike path from the northerly portion of the bridge to Coffee Road, and (2) continuation of the bicycle parking program with local businesses. Recommendations for two City representatives to SAAG's Non-motorized Review Committee are included. Memo with agenda. Resolution approving annual claim needed. Estimated cost: City's share -- \$14,100 (total cost \$142,000). Funds are budgeted.)

ACTION: Res. 85-217 adopted approving annual claim. (Planning to handle)

MISCELLANEOUS

CONSENT

28. Legislation: Staff recommends:

Supporting:

S. 281 and H. R. 773, Internal Revenue Service Fringe Benefit Rules
AB 216 (McAlister), Unemployment Insurance

Opposing:

SB 1254 (Dills), Unfair Labor Practices

(Memo with agenda. Motion approving staff recommendations needed.)

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

29. Appointments

None

30.

MATTERS TOO LATE FOR THE AGENDA

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

None

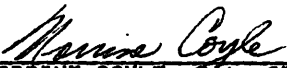
CLOSED SESSION

31. Closed session to consider an employee relations matter.

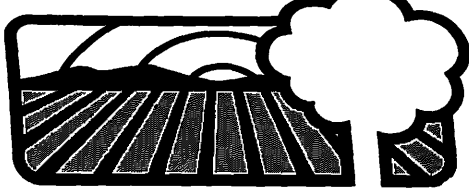
ADJOURNMENT

Meeting adjourned at 9:17 p.m. to closed session and Council did not return to open meeting.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 16, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Charlie Crane, Greater True Light Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 11,
12, 16, 17, 18, 19, 20, 21, 22,
23

Dropped from agenda: 15

ACTION: (Whiteside/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the April 9, 1985 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved as corrected to show that Councilmember Sutton was absent. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2324-C.S. rezoning from P-D(310) and R-1 to P-D(369), property located on the southwest corner of Standiford Avenue and Conant Avenue. (Tierra Development Co., Inc.)
- b. Ord. No. 2325-C.S. amending P-D(336) to allow a mobilehome park to be developed as a condominium, property located at the northeast corner of Whitmore Avenue and Ustick Road. (Teunissen)
- c. Ord. No. 2326-C.S. repealing P-D(295) and rezoning to R-2, property located on the southwest corner of Coffee Road and Grand Prix Drive. (Commission initiated)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Joint City Council/Redevelopment Agency public hearing to consider the disposition and development agreement for a portion of the redevelopment project.

(This hearing will not be held on April 16, but will be continued to May 21, 1985, at 4:00 p.m..)

Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.

Because documents were not available prior to the meeting, the hearing was not held.

ACTION: Res. 85-218 adopted (Lang/Sutton, majority, Patterson-no, Whiteside and Mensinger absent) setting a new hearing on May 21, 1985, at 4:00 p.m. (Clerk to handle)

BIDS

5. Consider approval of plans and specifications and call for bids for the strengthening of the water system at 9th and K Streets. (Suggested bid opening: April 30, 1985, at 11:10 a.m. The construction of this project will improve the water circulation and fire flows in the area of 9th and K Streets, and provide additional water availability for the proposed Community Center. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$61,115 (Contract \$49,650; engineering & cont. \$11,465). Funds are budgeted.) (Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: Res. 85-219 adopted (Bright/Lang, unan., Whiteside and Mayor Mensinger absent) calling for bids.

(Eng to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for Project No. 15, replacement of curb, drive aprons and sidewalks at various locations.
(Suggested bid opening: May 7, 1985, at 11:00 a.m. This project is required to restore proper drainage to curb, damaged by street tree roots. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$45,168 (construction \$41,062; engineering \$4,106). Funds are budgeted.)

ACTION: Res. 85-220 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened May 21, 1985, at 3:00 p.m. for furnishing annual compaction, aggregate and concrete testing services.
(The tests will be performed on various City streets, water or construction projects, and the services will be purchased intermittently throughout the 1985-86 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,000. Funds will be included in the 1985-86 budget.)

ACTION: Res. 85-221 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened May 7, 1985, at 3:05 p.m. for furnishing janitorial services at American Legion Hall.
(Requested by the Tuolumne River Regional Park Division of Parks and Recreation Department, the janitorial services will be performed at the American Legion Hall that the City rents out for public/private functions each week. Services will be contracted for the fiscal year beginning July 1, 1985, and ending June 30, 1986. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,000. Funds will be included in 1985-86 budget.)

ACTION: Res. 85-222 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened May 14, 1985, at 3:00 p.m. to furnish annual requirements of street name signs.
(Requested by the Parking and Traffic Department, the street name signs will be used both in new developments and as replacements for missing or damaged signs for the 1985-86 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,625. Funds will be included in the 1985-86 budget.)

ACTION: Res. 85-223 adopted calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

10. Request of Stanislaus County Fourth of July Committee for assistance for the July 4, 1985 Celebration.
(Motion referring to staff for recommendations needed.)

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

CONSENT

11. Letter from Joel Valenzuela resigning from Human Relations Commission.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 85-224 adopted accepting resignation with regret.
(Clerk to handle)

CONSENT

12. Letter from Downtown Improvement District regarding increasing the fine for off-street parking violations.
(Motion referring to the Downtown Renaissance Committee for recommendation needed.)

ACTION: By motion, letter referred to Downtown Renaissance Committee.
(Manager to handle)

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

None

NEW BUSINESS

14. Consider authorizing staff to forward comments on the Santa Fe/Southern Pacific merger to the Interstate Commerce Commission (ICC).
(Memo with agenda. It is appropriate to send a letter to the ICC requesting that the merger of the two railroads be subject to conditions favorable to the City of Modesto. Motion authorizing staff to send letter needed.)
(Mayor Mensinger, Councilmember Whiteside and City Manager Lipsky were excused due to a conflict of interest.)

ACTION: By motion (Muratore/Lang, unan., Whiteside and Mayor Mensinger absent) staff authorized to send letter with comments by Councilmember Lang and Muratore included. (P/T and Clerk to handle)

CONSENT

15. Consider approval of the final map and acceptance of improvements of the 2813 Coffee Road Condominiums and filing the Notice of Completion, as required by the Modesto Municipal Code. Subdividers: Center State Holding Co.
(All improvements are existing and all fees have been paid. The condominium complex is located on the west side of Coffee Road between Floyd and Rumble. Resolution approving final map and accepting improvements needed.)

Dropped from agenda.

CONSENT

16. Amend the Position Classification Plan and salary resolution to add a new classification - "Assistant Director of Utility Services."
(Memo with agenda. Resolution amending Position Classification Plan needed and resolution amending Alphabetical Listing of Classifications in the salary resolution needed.)

ACTION: Res. 85-225 adopted amending Position Classification Plan.

Res. 85-226 adopted amending salary schedule.

(Management Services to handle)

CONSENT

17. Consider adoption of a resolution commending the Modesto Police Reserves for their contributions to the City of Modesto's community welfare and safety.
(This is an annual commendation to the Reserve Officers who volunteer their services without pay for the supplementary crime protection of the citizens of Modesto. Memo with agenda. Resolution needed.)

ACTION: Res. 85-227 adopted commending Reserve Officers.

(Police to handle)

CONSENT

18. Consider authorizing City Manager to sign agreement with Dry Creek Investments for water main installation in Dry Creek Mobile Home Estate. (Improvement plans for Dry Creek Mobile Home Estate require installation of a 10-inch water main. Developer has requested permission to install the lines to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Resolution approving agreement needed. Estimated cost: \$21,815; funds are budgeted.)

ACTION: Res. 85-228 adopted approving agreement.

(Eng to handle)

CONSENT

19. Consider proposal from Stanislaus County for City to participate in overlaying Dale Road, Pelandale, Snyder and Floyd Avenue.
(City participates in County contracts for street overlays where streets lie partially within the City and partially within the County. Resolution approving work and authorizing letter contract. Estimated cost: \$48,053.77; funds are budgeted.)

ACTION: Res. 85-229 adopted approving work and authorizing contract.

(Eng to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 608 Curry, located between Trask Lane and Recie Court. Owner: Vincent Magaro.

(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-230 adopted approving agreement. (Eng to handle)

CONSENT

21. Presentation of monthly Financial Statement and monthly Treasurer's Report for March, 1985.

(Copies of the reports with agenda. Motion acknowledging receipt of the reports needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider approval of a preliminary application for a State Designation of an Enterprise Zone for the industrial area within Census Tract 25. (Enterprise Zones are hard-pressed economic areas in which incentives are offered to entice business to locate. Memorandum with agenda. Resolution stating area within Census Tract 25 meets requirements of State for an Enterprise Zone Designation and authorizing the filing of the preliminary application needed.)

ACTION: Res. 85-231 adopted authorizing filing of preliminary application. (Econ. Develop. Dir. to handle)

MISCELLANEOUS

CONSENT

23. Legislation: Staff recommends:

Oppose

AB 117 (Frazee) - Community Redevelopment

AB 223 (Peace) - Water Service: Residential Charges

SB 582 (Vuich) and AB 1954 (Waters) - City Reimbursement Mandated for Full Costs of County Property Tax Administration

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

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

24. Appointments

ACTION: Res. 85-232 adopted (Muratore/Whiteside, unan.) reappointing Jack Broome, Bill Gardner, Merle Mensinger Jr., and Frank Ruggieri to the D.I.D. Advisory Board.

Res. 85-233 adopted (same vote) appointing Jerry Matsunaga to the Human Relations Commission.

25.

MATTERS TOO LATE FOR THE AGENDA

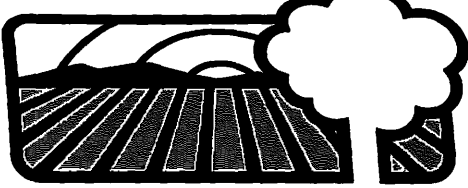
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 4:25 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 23, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Patrick Riddle, Herald General Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 4A, 11, 12, 13,
18, 19, 20, 21, 22, 23, 24

Dropped from agenda: 14

ACTION: (Whiteside/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation of Eric Shaw Memorial Scholarship.

Mayor Mensinger presented the scholarship to Shawn L. Cockrell.

MINUTES

CONSENT

2. Approval of the minutes of the April 16, 1985, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider agreement with DKS Associates for La Loma Traffic Study. (Memo with agenda. At the request of La Loma area people, the City Council directed staff to pursue such a study. An agreement with DKS Associates, consulting engineers, is now ready for approval. Resolution approving appropriation transfer and resolution approving agreement needed.)

ACTION: Res. 85-234 adopted (Whiteside/Lang, unan.) approving appropriation transfer.

Res. 85-235 adopted (same vote) approving agreement.
(P/T and Finance to handle)

CONSENT

4. Consider leasing Parking Lot 32 (next to Hughson Hotel) to Sam Randy. (Memo with agenda. Lease is to be for up to six months at \$200 per month. Lot is to be used during the refurbishing of the Hotel Hughson. Resolution approving lease agreement needed.)

ACTION: Res. 85-236 adopted approving lease agreement. (P/T to handle)

CONSENT

- 4A. Report regarding request from 4th of July Committee. (Memo with agenda. Resolution approving request for assistance needed.)

ACTION: Res. 85-237 adopted approving request for assistance. (P/T to handle)

HEARINGS

5. Continued hearing to consider appeal of Mid-Valley Engineering, on behalf of Robert Weeks, to a Planning Commission decision denying a request for a time extension for P-D(298), located at the southeast corner of Coffee Road and Sylvan Avenue. (Continued from meeting of April 9, 1985.)

ACTION: Res. 85-238 adopted (Patterson/Whiteside, majority, Bright, Lang, and Muratore-no) denying appeal and upholding the Planning Commission decision. (Planning to handle)

6. Hearing to consider objections or protests to requirements to construct curbs and/or sidewalks at the following locations:
- a. Curb along Howard Street at 316 Burney Street, a portion of Block 208. (Flora Monschein)
 - b. Curb at 127 Howard Street, Lot 3 of Block 205. (Louis Nicolodi)
 - c. Curb at 117 Howard Street, Lot 2 of Block 205. (David Spencer)
 - d. Curb at 115 Howard Street, a portion of Block 205. (Antonio Tovar)
 - e. Curb along Howard Street at 320 Burney Street, a portion of Block 208. (Larry Williams)
 - f. Curb along Dawn Drive at 1244 Melrose Avenue, Lot 21 of Block 1125. (George E. Hillman)
 - g. Sidewalk at 329 El Vista Avenue, Lot 17 of Block 2260. (Milano and Montoya)
 - h. Sidewalk at 2423 and 2437 Yosemite Boulevard, a portion of Block 2401. (Vito N. Pantaleo)

ACTION: Res. 85-239 adopted (Lang/Whiteside, unan.) ordering the work of construction. (Eng to handle)

7. Hearing to consider the proposed amendment to the Land Use and Circulation Elements of the Modesto Urban Area General Plan, Yosemite Trunk Sewer Extension.

ACTION: By motion (Whiteside/Muratore, unan.), Council indicated its intention to certify the supplemental E.I.R., amend the General Plan map excluding the David Gallo property, adopt a statement of overriding considerations concerning traffic developed and adopted, and directed that further study be made of mitigation measures not currently included in the C.I.P. or in the Planning Commission plan and include consultation with both the County and CalTrans on the highway development, and agreed that no physical work be begun until the Jenny-Grand Bridge problem has been resolved satisfactorily and recommendations have been made on the La Loma traffic problem.

By motion (Whiteside/Lang, majority, Patterson and Mensinger - no), intention indicated to adopt the Yosemite Neighborhood Zoning and Development Plan with H-1 zoning along Yosemite Boulevard. (Planning to handle)

8. Hearing to consider an amendment to Section 18-3-9 of the Zoning Map to rezone from P-D(159) to P-D(371) property located on the south side of Briggsmore Avenue east of Prescott Road to allow a mini-storage facility to the rear of the recreation complex. (Robert Ericksen)

ACTION: By motion (Muratore/Patterson, unan.) Ord. 2327-C.S. introduced.

Res. 85-240 adopted (same vote) approving plan.

Res. 85-241 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

9. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to rezone from C-1 to P-D(370) property located on the northwest corner of 15th Street and Burney Street to allow an auto smog certification and repair station. (Aprim Warda)

ACTION: By motion (Whiteside/Sutton, unan.) Ord. 2328-C.S. introduced.

Res. 85-242 adopted (same vote) approving plan.

Res. 85-243 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider rezoning from C-2 and M-1 to P-D(372), property located in the area bounded by K Street, 11th Street, L Street, and the Southern Pacific Railroad Tracks (Modesto Community Center site). (Mayor Mensinger and Councilmember Whiteside to be excused due to potential conflicts of interest)

ACTION: By motion (Lang/Muratore, majority, Patterson-no, Whiteside and Mayor Mensinger absent) Ord. 2329-C.S. introduced.

Res. 85-244 adopted (same vote) approving plan.

Res. 85-245 adopted (same vote) certifying review of final Environmental Impact Report. (Clerk/Planning to handle)

BIDS

CONSENT

11. Consider approving specifications and authorize call for bids to be opened May 21, 1985, at 3:10 p.m., for furnishing golf course trees. (Hardpan has caused salt buildup in the soil at 9-Hole and Dryden Golf Courses which has killed many trees. Drilling of drainage holes has corrected this situation and the soil is now ready for replacement trees. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,000. Funds are budgeted.)

ACTION: Res. 85-246 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider declaring Target Chemical Company low bidder and authorizing the purchase of 26 tons of fertilizer from the firm for the total price of \$11,574.10. (Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$11,574.10. Funds are budgeted.)

ACTION: Res. 85-247 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider declaring Trans-Dyne Control Systems low bidder on ten pump controls for a total price of \$10,143; and Electro Controls low bidder on three pressure transmitters for a total amount of \$6,860. (Memo with agenda. Two resolutions authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 85-248 adopted authorizing purchase from Trans-Dyne Control Systems.

Res. 85-249 adopted authorizing purchase from Electro Controls.
(Finance to handle)

CONSENT

14. Consider acceptance of D. C. Vient's contract for the interior painting of McHenry Mansion.
(Original contract and final cost: \$5,802. All work on this project has been completed to the satisfaction of the Engineering and Parks Departments. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

Dropped from agenda.

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

Michael Garcia expressed concern about the meetings of the Housing and Community Development Committee being held at noon.

NEW BUSINESS

17. Consideration of dates for review of the 1985-86 Proposed Budget and the Four-Year Capital Improvement Program.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Bright, unan.) dates tentatively approved with the deletion of May 20 and addition of June 3. (Finance to handle)

CONSENT

18. Consider Summer Water Conservation Program for 1985.
(Memo with agenda. Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting all outside water use from 4:00 to 8:00 p.m., Monday through Friday during the months of June, July and August. Resolution approving Water Conservation Program needed. Estimated cost: \$8,555. Funds are budgeted.)

ACTION: Res. 85-250 adopted approving Water Conservation Program.
(Utility Services to handle)

CONSENT

19. Consider resolution waiving escalation of bond redemption charges for residential, commercial, and industrial properties for fiscal year 1985-86.
(Annually, the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that escalation of those charges be waived for fiscal year 1985-86. Memo with agenda. Resolution waiving escalation of bond redemption charges for 1985-86 needed.)

ACTION: Res. 85-251 adopted waiving escalation of bond redemption charges.
(Utility Services to handle)

CONSENT

20. Consider approving payment to Robert L. Crisp, MAI, in the amount of \$5,920.60 for appraisal services for updating appraisals on sewer expansion project easements.
(Updated appraisals are required on previously condemned right of way on the parallel outfall Sewer Expansion Project Unit #1. These updates are needed for pending litigation on these easements. Memo with agenda. Resolution approving payment needed. Funds are budgeted.)

ACTION: Res. 85-252 adopted approving payment. (Utility Serv to handle)

CONSENT

21. Consider authorizing payment to the Modesto Bee in the amount of \$5,030.34 for publication and circulation of the "1985 Report to the People."
(Memo with agenda. Resolution authorizing payment needed. Funds are budgeted.)

ACTION: Res. 85-253 adopted authorizing payment. (Finance to handle)

CONSENT

22. Consider authorizing City Manager to sign "Consent to Common Use Agreement" with Modesto Irrigation District.
(This agreement will provide easements and an area of common use needed in conjunction with the removal and replacement of the bridge crossing Lateral No. 5 at California Avenue. Resolution approving Consent to Common Use agreement needed.)

ACTION: Res. 85-254 adopted approving Consent to Common Use agreement.
(Eng to handle)

CONSENT

23. Consider approval of the annual recreation agreement between the County of Stanislaus and the City of Modesto.
(This agreement is similar to agreements entered into by the County and City in previous years. The agreement provides that the County will allocate to the City \$72,928.62 for expenditures by the City on community recreation for fiscal year 1985-86. This represents an increase of \$3,853.74 from last year's allocation. Resolution approving agreement needed.)

ACTION: Res. 85-255 adopted approving agreement. (P/R to handle)

MISCELLANEOUS

CONSENT

24. Legislation - Staff recommends:

Support

SB 880 (L. Greene) - Allocation of Petroleum Violation Escrow Account (PVEA) Funds

SB 1189, SB 1190, SB 1191, SB 1192 and in concept SB 1193 - Disability Retirement Reform Package (Seymour)

Oppose

AB 1473 (Stirling) - Mandatory Redevelopment Set-Aside for School Districts

SB 1398 (Dills) - Peace Officer and Firefighter Labor Disputes: Binding Arbitration

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

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

25. Appointments

None

26.

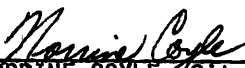
MATTERS TOO LATE FOR THE AGENDA

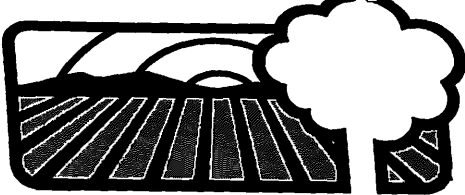
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

Meeting adjourned at 11:45 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 7, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Tom Deal, Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43

Removed from Consent: 9

ACTION: (Whiteside/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger noted that Modesto's drinking water had been rated the best tasting of any in the valley.

MINUTES

CONSENT

2. Approval of the minutes of the April 23, 1985, regular City Council meeting.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Staff report regarding the request from Pelegrino Scarpinati to operate a mobile vending cart business in the downtown area and Graceada Park. (Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Muratore, unan.) the matter referred to the Council's Renaissance Committee.

CONSENT

4. Final adoption of:

- a. Ord. No. 2327-C.S. rezoning from P-D(159) to P-D(371), property located on the south side of Briggsmore Avenue east of Prescott Road. (Robert L. Erickson)
- b. Ord. No. 2328-C.S. rezoning from C-1 to P-D(370), property located on the northwest corner of 15th Street and Burney Street. (Aprim Warda)

(Motion approving needed.)

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

5. Final adoption of Ord. No. 2329-C.S. rezoning from C-2, and M-1 to P-D(372), property located in the area bounded by K Street, 11th Street, L Street, and the Southern Pacific railroad tracks. (Modesto Community Center)

(Motion approving needed.)

(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: By motion (Muratore/Sutton, majority, Patterson-no, Whiteside and Mayor Mensinger absent) final adopted approved. (Clerk to handle)

HEARINGS

6. Hearing to consider an amendment to P-D(73) for a new master site plan for Memorial Hospital, property located at the northeast corner of Coffee Road and Briggsmore Avenue.

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) Ord. No. 2330-C.S. introduced.

Res. 85-256 adopted (same vote) approving plan.

Res. 85-257 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider amending Section Map 30-3-9 to rezone from R-1 to P-D(373) for a multiple family residential development, property located west of Emerald Avenue and North of Elm Avenue. (Steinpress Development)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2331-C.S. introduced. Res. 85-258 adopted (same vote) approving plan.

Res. 85-259 adopted (same vote) certifying review of Environmental Assessment.

(Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the remodeling of the American Legion Hall restrooms.
(The construction of the project will make the restrooms at the American Legion Hall accessible to the handicapped. Suggested bid opening: May 21, 1985 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$59,343.39 (contract \$53,948.54; engineering \$5,394.85); funds are budgeted.)

ACTION: Res. 85-260 adopted calling for bids. (Eng to handle)

9. Consider award of contract for the coating/insulation of Digester No. 1 at the City of Modesto Water Quality Control Plant.
(Bids were opened on April 30, 1985. The low bid of \$64,300, submitted by Tara Coatings is 34.6% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Tara Coatings, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-261 adopted (Bright/Lang, unan.) awarding contract.
(Eng to handle)

10. Consider approval of award of contract for the strengthening of the water system at 9th and "K" Streets.
(Bids were opened April 30, 1985. The low bid of \$48,329.50, submitted by D & R Construction, is 3% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to D & R Construction, Inc. Funds are budgeted.)
(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: Res. 85-262 adopted (Lang/Bright, unan., Whiteside and Mayor Mensinger absent) awarding contract. (Eng to handle)

CONSENT

11. Consider approving specifications and authorizing the call for bids for furnishing annual requirements of rock, sand and gravel products to be opened on May 28, 1985, at 3:00 p.m.
(These materials are used throughout the City for expansion, repair, and non-capital outlay projects. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 85-263 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened May 28, 1985, at 3:10 p.m. for furnishing annual requirements of liquid chlorine.
(An annual requirement, the purchase of liquid chlorine is a cooperative venture with the Cities of Oakdale and Turlock. The chlorine is used in treating residential and industrial waste and will be purchased intermittently throughout the 1985-86 fiscal year. Estimated cost: \$114,040; funds are budgeted.)

ACTION: Res. 85-264 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened June 4, 1985, at 3:15 p.m. for furnishing annual large lamp requirements.
(An annual event, the lamp bid is a cooperative purchasing venture with Stanislaus County, City of Oakdale, Yosemite Community College District, and Modesto City Schools. The lamps are purchased intermittently throughout the year by Central Stores and sold to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost (City's portion): \$21,000; funds are budgeted.)

ACTION: Res. 85-265 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approving plans and specifications and calling for bids to be opened June 4, 1985, at 11:00 a.m. for installing raised pavement markers on 26 City streets.
(Memo with agenda. The Federal Highway Administration is funding 90% to 100% of the cost of this project, estimated at \$115,400, under the Pavement Marking Demonstration Program. Resolution approving plans and specifications and call for bids needed. Funds are budgeted.)

ACTION: Res. 85-266 adopted calling for bids. (P/T to handle)

CONSENT

15. Consider approving plans and specifications and calling for bids to be opened June 4, 1985, at 11:05 a.m. for installing thermoplastic pavement markings.
(Memo with agenda. The Federal Highway Administration is funding 90% to 100% of the cost of this project, estimated at \$212,400, under the Pavement Marking Demonstration Program. Resolution approving plans and specifications and call for bids needed. Funds are budgeted.)

ACTION: Res. 85-267 adopted calling for bids. (P/T to handle)

CONSENT

16. Consider approving specifications and calling for bids to be opened June 4, 1985, at 11:15 a.m. for eight new bus passenger shelters.
(Memo with agenda. These shelters would be similar in size and design to our existing small shelters. Six would be installed immediately and two kept in storage to meet unanticipated needs. Resolution approving specifications and bid call needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 85-268 adopted calling for bids. (P/T to handle)

CONSENT

17. Consider recertifying right of way and approving plans and specifications and calling for bids June 4, 1985, at 11:10 a.m. for installing guardrail at three locations on Morton Boulevard.
(Memo with agenda. The Federal Highway Administration is funding 90% of the estimated \$43,00 cost of this project under the Hazard Elimination Program. Resolution recertifying right of way needed, and resolution approving plans and specifications and calling for bids needed. Funds are budgeted.)

ACTION: Res. 85-269 adopted recertifying right of way.
Res. 85-270 adopted calling for bids. (P/T to handle)

CONSENT

18. Consider amending Housing Program Office budget and awarding contract for the construction of curbs, gutters, and sidewalks, and paving of alleys in Housing Improvement Area No. 3 - Phase III.
(Bids were opened on April 2, 1985. The low bid of \$223,220.50, submitted by George Reed, Inc., is 11.38% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to George Reed, Inc. Memo and bid tabulation with agenda. Resolution amending the Housing Program Office budget needed, and resolution awarding contract to George Reed, Inc. needed. Estimated cost: \$260,443.50 (contract \$223,220.50; contract administration \$37,223). Funds are budgeted.)

ACTION: Res. 85-271 adopted amending the Housing Program Office budget.
Res. 85-272 adopted awarding contract. (Finance/Eng to handle)

CONSENT

19. Consider approving specifications and call for bids for street tree work in Housing Improvement Area No. 3 to coincide with the installation of public improvements in Housing Improvement Area No. 3.
(Suggested bid opening: May 28, 1985, at 11:00 a.m. Memo with agenda. Resolution approving specifications and call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 85-273 adopted calling for bids. (P/R & Eng to handle)

CONSENT

20. Consider award of contract for Beyer Park improvements.
(Bids were opened April 23, 1985. The low bid submitted by George Reed, Inc. is 16% under the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to George Reed, Inc. Memo with agenda. Resolution awarding contract to George Reed, Inc., and resolution approving appropriation transfer needed. Estimated cost: \$231,396; funds are partially budgeted.)

ACTION: Res. 85-274 adopted awarding contract.
Res. 85-275 adopted approving appropriation transfer.
(Eng/Finance to handle)

CONSENT

21. Consider declaring L. N. Curtis and Sons low bidder and authorize the purchase of fire hose nozzles for the total price of \$16,074.90. (Memorandum with agenda. Resolution authorizing the purchase of fire hose nozzles needed. Funds are budgeted.)

ACTION: Res. 85-276 adopted authorizing the purchase. (Finance to handle)

CONSENT

22. Consider waiving formal bid procedures and authorize the purchase of antique chandelier for McHenry Mansion from Stanley Galleries for the total price of \$5,300. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-277 adopted waiving formal bid procedures. (Finance to handle)

23. Consider acceptance of George Reed, Inc.'s contract for the construction of alley paving in Block 842. (Original contract: \$11,111) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$11,573.42; funds are budgeted.) (Councilmember Sutton's property abuts this alley, and he will be excused due to a conflict of interest.)

ACTION: Res. 85-278 adopted (Muratore/Whiteside, unan., Sutton absent) accepting contract as complete. (Clerk to handle)

CONSENT

24. Consider acceptance of D. C. Vient's contract for the interior painting of McHenry Mansion. (Original contract and final cost: \$5,802) (All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-279 adopted accepting work as complete. (Clerk to handle)

CONSENT

25. Consider acceptance of Bowden Electric's contract for the installation of security lighting at Sonoma and Sylvan Parks. (Original contract: \$15,257) (All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$16,996; funds are budgeted.)

ACTION: Res. 85-280 adopted accepting work as complete. (Clerk to handle)

CONSENT

26. Consider acceptance of Granite Construction's contract for the general aviation vehicle parking area. Original contract: \$75,262. (All work on the project has been completed to the satisfaction of the Engineering and Utility Services Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$87,546; funds are budgeted.)

ACTION: Res. 85-281 adopted accepting work as complete. (Clerk to handle)

CONSENT

27. Consider acceptance of Bibens Nursery's contract for the Mancini Park grading and paving. Original contract: \$33,406 (All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work and file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$33,990; funds are budgeted.)

ACTION: Res. 85-282 adopted accepting work as complete. (Clerk to handle)

CONSENT

28. Consider acceptance of Central Ready Mix, Inc.'s contract for the grading and paving at Sipherd Park. Original contract: \$56,325 (All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$60,085; funds are budgeted.)

ACTION: Res. 85-283 adopted accepting work as complete. (Clerk to handle)

CONSENT

29. Consider acceptance of Bond Construction's contract for the Scenic and Claus waterline extension. Original contract: \$31,410 (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$32,600; funds are budgeted.)

ACTION: Res. 85-284 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

30. Recommendation from Stanislaus County Consumer Affairs Mobilehome Parks Mediation Board regarding rent stabilization. (Resolution approving amended bylaws of the Mobilehome Parks Mediation Board needed.)

ACTION: Res. 85-285 adopted amending bylaws. (Clerk to handle)

CONSENT

31. Letter from Downtown Improvement District requesting permission to use sidewalks for selling merchandise on May 15, 16, 17 and 18, 1985, for a Downtown Sidewalk Sale.
(Motion approving needed.)

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

32.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Daniel Marsh talked about a citizens committee sponsored by Central Baptist Church to improve relations on the westside of Modesto.

NEW BUSINESS

33. Presentation of 1985-86 Proposed Budget and Four-Year Capital Improvement Program 1985-86 through 1988-89.
(Copies of both documents will be presented at the meeting. Memo proposing the dates for review sessions and public hearing with agenda. Resolution setting public hearing needed.)

ACTION: By motion (Whiteside/Bright, unan.) Option "B" was selected as the budget study schedule. (Finance to handle)
Res. 85-286 adopted (Whiteside/Patterson, unan.) setting public hearing on June 11, 1985, at 7:30 p.m. (Clerk to handle)

CONSENT

34. Consider authorizing City Manager to sign sewer reimbursement agreement for property located on the north side of Standiford Avenue between Carver Road and Shawnee Drive. Owners: Peter V. Giambanco and CPC Navarra.
(Owners have requested direct reimbursement from City for increase costs to install a deeper and larger sewer line than needed to serve their property. Section 4-4.802.1 of the Modesto Municipal Code allows the City to enter into an agreement to reimburse owners for the portion of costs of the improvements which will benefit property outside owner's development. Resolution approving sewer reimbursement agreement needed. Estimated cost: \$14,881; funds are budgeted.)

ACTION: Res. 85-287 adopted approving agreement. (Eng to handle)

CONSENT

35. Consider approving agreements with Stanislaus County Housing Authority to monitor six multi-family mortgage revenue bond projects.
(The Stanislaus County Housing Authority is monitoring the low and very low income portions of six multi-family mortgage revenue bond projects for ten years or one-half the time of bond issue, whichever is longer. One-fourth per cent bond proceeds fee was charged to pay for these services and other direct costs. Six resolution approving agreements needed. Estimated cost: \$88,277; funds are budgeted.)

ACTION: Res. 85-288 adopted approving agreement to monitor the Stonebridge multi-family mortgage revenue bond project. (Bright Development)

Res. 85-289 adopted approving agreement to monitor the Oakhaven multi-family mortgage revenue bond project. (Oakhaven Investors)

Res. 85-290 adopted approving agreement to monitor the Meadowlake multi-family mortgage revenue bond project. (Gibraltar Community Builders)

Res. 85-291 adopted approving agreement to monitor the Park Lakewood multi-family mortgage revenue bond project. (Gibraltar Community Builders)

Res. 85-292 adopted approving agreement to monitor the Valley Oak multi-family mortgage revenue bond project. (Valley Oak Asso.)

Res. 85-293 adopted approving agreement to monitor the Shadowbrook multi-family mortgage revenue bond project (Shadowbrook Investments)
(Planning to handle)

CONSENT

36. Consider authorizing the City of Modesto to sell Modesto souvenir pins to the public for \$3.00 each.
(Memorandum with agenda. Resolution authorizing City of Modesto to sell pins needed.)

ACTION: Res. 85-294 adopted authorizing sale of pins. (Finance to handle)

CONSENT

37. Consider approval of final map and acceptance of improvements of the 2813 Coffee Road Condominiums and file the Notice of Completion as required by the Modesto Municipal Code. (Subdividers: Center State Holding Co.)
(All improvements are existing and all fees have been paid. The condominium complex is located on the west side of Coffee Road at 2813 Coffee Road between Floyd and Rumble. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 85-295 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

38. Consider approving lease agreement with C. J. Rumble & Sons, Inc. for the lease of Chrysler 99 No. 2 Park site.
(This is a two-year renewal of an existing lease. The tenants pay \$150 per year rent and maintain the property. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-296 adopted approving agreement. (Utility Serv to handle)

CONSENT

39. Consider setting date for public hearing on Tuesday, May 28, 1985, at 7:30 p.m. to consider a Municipal Code text amendment regarding satellite antennas in residential areas.
(The Planning Commission recommends ground mounting only, that roof-mounted or pole-mounted satellite antennas not be permitted in residential areas. Resolution setting hearing needed.)

ACTION: Res. 85-297 adopted setting hearing. (Clerk to handle)

CONSENT

40. Request for Caltrans study of the Carpenter/Briggsmore Interchange with Freeway 99.
(The Planning Commission recommends a Caltrans study of the interchange to determine what improvements can be made or additional interchanges added to improve west side access. Motion approving recommendation and referring to staff to handle needed.)

ACTION: By motion, recommendation approved and referred to staff to handle. (P/T to handle)

CONSENT

41. Consider request from Modesto Footracing Association for direct assistance.
(The Modesto Footracing Association has requested that the City co-sponsor their annual footrace on Sunday, October 27, 1985. Memo with agenda. Resolution approving request needed. Estimated cost: \$200; funds are budgeted.)

ACTION: Res. 85-298 adopted approving request. (P/R to handle)

CONSENT

42. Consider adoption of resolution of appreciation.
(Joseph Valenzuela served as a member of the Human Relations Commission from 1981-1984. Resolution of appreciation needed.)

ACTION: Res. 85-299 adopted approving resolution of appreciation. (Clerk to handle)

MISCELLANEOUS

CONSENT

43. Legislation: Staff recommends:

Support

AB 1287 (Hannigan) - Energy and Water Conservation Retrofit

AB 2197 (Frazee) - LAFCO Conditions on Annexation Proposals

SB 304 (B. Greene) - Funding for Initial Response Training

Amend and Support

SB 1294 (McCorquodale) - Absent Voter Procedures

Oppose

AB 1001 (McAlister) - Amendments to the Brown Act

SB 1409 (Nielsen) - Truck Terminal Legislation

FCC Plans to Preempt Local Zoning Laws on Satellite Antennas

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

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

44. Appointments

None

45.

MATTERS TOO LATE FOR THE AGENDA

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

At 6:23 p.m., Council meeting was adjourned and the Redevelopment Agency meeting was convened. The Council meeting was reconvened at 7:00 p.m.

46.

CLOSED SESSION

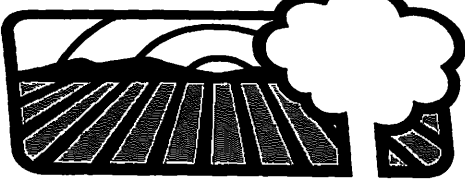
(Closed session to consider an employee relations matter.)

ADJOURNMENT

(The meeting will be adjourned to 7:30 p.m., May 7, 1985, in the Council Chambers to discuss the Planning and Zoning Title of the Modesto Municipal Code.)

The meeting adjourned at 7:03 p.m. to closed session and then to 7:30 p.m. to discuss the Planning and Zoning Title of the Modesto Municipal Code.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

Adjourned Regular Meeting
Modesto City Council
May 7, 1985

The Council of the City of Modesto met pursuant to adjournment at 7:30 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger.

Absent: None

The Director of Planning and Community Development gave answers to questions that were raised at the April 2 meeting concerning Omni 8. He then continued with the review of amendments to Title X, Planning and Zoning, of the Modesto Municipal Code being proposed by the staff and recommended by the Planning Commission.

By motion (Whiteside/Patterson, unan.), intention was indicated to approve pages 124-149, General Provisions, except that the original wording concerning temporary real estate offices, with a two year limit, is to be reinstated.

By motion (Whiteside/Muratore, unan.), intention was indicated to approve pages 150-181, Nonconforming and Procedures, as proposed except that public notices of hearings are to be given to a maximum of 1/4 mile.

By motion (Patterson/Lang, unan.), intention was indicated to approve pages 182-210, Off-Street Parking Design Provisions.

By motion (Sutton/Whiteside, unan.), intention was indicated to approve pages 211-226, Off-Street Parking - Spaces Required, except for hospital parking which was not considered at this time.

Mayor Mensinger was excused from the next item due to a conflict of interest.

By motion (Sutton/Lang, unan., Mensinger absent) intention was indicated to approve hospital parking requirements on a 1:75 space per bed ratio.

By motion (Whiteside/Lang, unan.), intention was indicated to approve pages 227-254, Definitions, Other Titles.

By motion (Whiteside/Patterson, unan.), staff was directed to send letters of commendation to the Planning Commission and people who have worked on Omni 8. (Planning and Community Development to handle)

There being no further business, the meeting adjourned at 9:30 p.m.

ATTEST:

Norrine Coyle
Norrine Coyle, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: None

The following budgets were reviewed:

- City Council
- City Manager
- Management Services
 - Administration/Governmental Relations
 - Citizens Information Service
 - Personnel
 - Word Processing Center
 - Microfilm and Records
 - Office Services
 - Insurance
 - Risk Management
 - City Self-Insurance
- City Attorney
- City Clerk/Auditor
- Economic Development
- Finance
 - Administration
 - Treasury
 - Revenue and Budget
 - Accounting and Reporting
 - Purchasing
 - Data Processing
 - Employee Benefits
 - Miscellaneous Unclassified
 - Central Stores
 - Bond Redemption and Interest Requirements
- Planning and Community Development
 - Planning and Community Development (General Fund)
 - Housing and Community Development

The meeting was adjourned at 4:55 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Patterson arrived at 3:10 p.m.
Sutton arrived at 3:20 p.m.
Muratore arrived at 3:50 p.m.

Absent: None

The following budgets were reviewed:

Parking and Traffic

Parking and Traffic (General Fund)
Parking Fund
Bus Service

Fire

Administration
Disaster & Civil Defense
Training
Prevention
Suppression

Police

Administration
Administrative Services
Stanislaus County Drug Enforcement Unit
Investigative Services
Field Operations
Animal Control Operations

Parks and Recreation

Administration
Parks Service and Repair
Parks Grounds Maintenance
Trees Maintenance
Trees Planting and Preservation
Golf Courses General
Golf Courses 9-Hole
Golf Courses Dryden
Cultural Program and Facilities General
Cultural Program and Facilities Museum
Cultural Program and Facilities Mansion
Recreation

Community Center - Councilmember Whiteside and Mayor Mensinger
excused due to potential conflicts of interest.

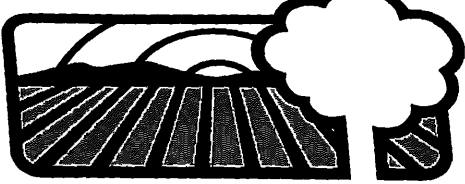
ACTION: By motion (Lang/Sutton, Patterson-no, Whiteside, Mayor
Mensinger absent) provisions on Pages 5, 7, 33, 140 and
141 regarding the Community Center, were approved and staff
was directed to include the amounts in the final budget
document. (Finance to handle)

Misc. Facilities General
Misc. Facilities King-Kennedy Center
Misc. Facilities Senior Citizens Center
Misc. Facilities Community Service Center
Tuolumne River Regional Park

Councilmembers Bright and Lang excused at 5:10 p.m.

The meeting adjourned at 5:17 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 14, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Lee Heim, Trinity United Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 9, 10, 11, 12, 13, 14,
15, 16, 18, 19, 20, 21, 22, 23, 24,
25

Removed from consent: 9

ACTION: (Lang/Whiteside, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Modesto group's trip to the U.S.S.R. paired City Khmednitsky in The Ukraine Republic.

Representatives of the group showed slides and presented articles from the City of Khmednitsky.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of May 7, 1985.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2230-C.S. amending P-D(73) for a new master site plan for Memorial Hospital, property located at the northeast corner of Coffee Road and Briggsmore Avenue.
(Motion adopting needed.)
(Mayor Mensinger to be excused due to a conflict of interest.)

ACTION: By motion (Sutton/Muratore, unan., Mayor Mensinger absent) Ord. No. 2230-C.S. adopted. (Clerk to handle)

CONSENT

4. Ord. No. 2331-C.S. rezoning from R-1 to P-D(373), property located north of Elm Avenue and west of Emerald Avenue. (Steinpress Development)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2331-C.S. adopted. (Clerk to handle)

HEARINGS

5. Appeal by John and Betty Weaver to a Board of Zoning Adjustment decision denying an application for a variance for a house which exceeds the maximum lot coverage permitted in the R-1 Zone, property located at the east end of Rudge Place.

ACTION: Res. 85-300 adopted (Whiteside/Patterson, unan.) to grant appeal and grant variance. (Clerk to handle)

6. Appeal by Mid-Valley Engineering on behalf of Resource Development to a Planning Commission decision regarding rezoning a portion of P-D(349) at the corner of Standiford and Prescott.

ACTION: By motion (Whiteside/Muratore, unan.) intent was indicated to grant the appeal and staff was directed to develop conditions and return to Council in two weeks. (Planning to handle)

7. Hearing to consider amendment to Sec. Map 6-4-9 to rezone from R-1 to P-D(375) for a two-phase, two-story apartment project, property located on the south side of Paradise Road, east and west of Pine Tree Lane.
(First Interstate Bank)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2332-C.S. introduced.
Res. 85-301 adopted (same vote) approving plan.
Res. 85-302 adopted (same vote) certifying review of Environmental Assessment.
Muratore (Clerk/Planning to handle)
Councilmember/excused from the meeting.

8. Hearing to consider amendment to Sec. Map 24-3-9 to rezone from R-1, R-2 and R-3, to P-D(374) to allow a psychiatric institute and residential treatment center property located at the southwest corner of Briggsmore and Claus. (Claus/Briggsmore Investment)
Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Whiteside/Sutton, unan., Muratore and Mayor Mensinger absent) Ord. No. 2333-C.S. introduced.
Res. 85-303 adopted (same vote) approving plan.
Res. 85-304 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

9. Consider approval of plans and specifications and call for bids for the slurry seal of various City streets - 1985.
(Suggested bid opening: June 4, 1985, at 11:20 a.m. List of streets with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$602,220 (contract \$552,220; engineering \$50,000); funds will be transferred after bid opening when the exact amount needed to construct the project is known.)
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 85-305 adopted (Whiteside/Sutton, unan., Muratore and Mayor Mensinger absent) calling for bids. (Eng to handle)

CONSENT

10. Consider approving specifications and authorizing the call for bids for furnishing annual requirements of swimming pool chlorine and muriatic acid.
(Suggested bid opening: June 4, 1985, at 3:05 p.m. The swimming pool chlorine and muriatic acid will be used throughout the year by the Parks and Recreation Department for swimming and training pool maintenance. The swimming pool chlorine and muriatic acid will be purchased throughout the 1985-86 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,285; funds are budgeted.)

ACTION: Res. 85-306 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorizing the call for bids for furnishing dry cell batteries.
(Suggested bid opening: June 4, 1985, at 3:10 p.m. An annual requirement, the bid is a cooperative venture with Stanislaus County, City of Oakdale, Yosemite Community College District and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and distributed to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$3,300 (City portion); funds are budgeted.)

ACTION: Res. 85-307 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorizing the call for bids for furnishing M.S.A. emergency breathing equipment.
(Suggested bid opening: June 4, 1985, at 3:20 p.m. Requested by the Fire Department, this equipment is used by firefighters in firefighting, rescue, and other emergency situations where breathing equipment is essential to the protection of the firefighter. Resolution approving specifications and authorizing bid call needed. Funds are partially budgeted in 1984-85 budget and 1985-86 C.I.P.)

ACTION: Res. 85-308 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving specifications and authorizing the call for bids for furnishing fire hose.
(Suggested bid opening: June 4, 1985, at 3:25 p.m. Requested by the Fire Department, the fire hose will replace damaged, worn or obsolete fire hose presently on hand. Resolution approving specifications and authorizing bid call needed. Estimated cost: \$7,300; funds are budgeted.)

ACTION: Res. 85-309 adopted calling for bids. (Finance)

CONSENT

14. Consider approving specifications and authorize call for bids for furnishing one manlift aerial platform truck.
(Suggested bid opening: June 11, 1985, at 3:00 p.m. Requested by the Service Division, the manlift aerial platform truck will be permanently dispatched to the Parks and Recreation Tree Division. The equipment will be used by City crews to trim trees, and will replace a similar device presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$46,000; funds are budgeted.)

ACTION: Res. 85-310 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider award of contract for Project No. 15 - replacement of curbs, drive aprons and sidewalks at various locations.
(Bids were opened May 7, 1985. The low bid of \$56,535.15, submitted by Cunningham & Sons, Inc. is 37.7% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Cunningham & Sons, Inc. needed. Estimated cost: \$62,189.15 (contract \$56,535.15; engineering \$5,654); funds are budgeted.)

ACTION: Res. 85-311 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider acceptance of Barham Enterprises, Inc.'s contract for the McHenry Mansion restoration, first floor, Phase II. (Original contract: \$71,484)
(All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$74,700.75; funds are budgeted.)

ACTION: Res. 85-312 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

18. Consider request of Modesto Garbage Co., Inc. for revision of the existing garbage ordinance.
(Modesto Garbage Company, Inc. is requesting several revisions to the garbage ordinance pertaining to service levels and charges. These requests are normally referred to the Council Solid Waste Committee for study. Motion referring to Council Solid Waste Committee for recommendation needed.)

ACTION: By motion, referred to Council Solid Waste Committee.
(Management Services/Utility Services to handle)

CONSENT

19. Consider approval of annual claim for Local Transportation Funds and State Transit Assistance funds.
(Each year the City makes a claim to the Stanislaus Area Association Governments (SAAG) for its apportionment of Transportation Development Funds. This year's claim is for \$2,643,395. Resolution authorizing submission of the Annual Transportation Claim needed.)

ACTION: Res. 85-313 adopted authorizing submission of claim.
(Finance to handle)

CONSENT

20. Consider waiving building permit fees for Building Industry Association House which will be built in 24 hours.
(Proceeds for sale of house will be donated to the fund for restoration of the McHenry Mansion. Memo with agenda. Resolution authorizing waiving of building permit fees needed.)

ACTION: Res. 85-314 adopted authorizing waiving of building permit fees.
(Eng to handle)

CONSENT

21. Consider certifying right of way for the California Avenue/M.I.D. Lateral No. 5 bridge replacement project.
(One of the City's requirements on this federally subsidized project is to certify as to the right of way acquisition. Memo with agenda. Resolution certifying right of way needed.)

ACTION: Res. 85-315 adopted certifying right of way. (Eng to handle)

CONSENT

22. Presentation of monthly Financial Statement and monthly Treasurer's Report.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Set date for public hearing on May 28, 1985, at 7:30 p.m. to consider amendment to sign regulations. (Updated Sign Regulations)
(This amendment will conform the Sign Regulations with Omni 8 (Comprehensive rewrite of the Zoning Regulations), delete reference to Nonconforming Sign Compliance of 1982-84, and make minor changes. Resolution setting date for public hearing needed.)

ACTION: Res. 85-316 adopted setting date for public hearing. (Clerk to handle)

CONSENT

24. Consider request for sewer service to property outside City limits at 835 Chicago Avenue, located on the north side of Chicago Avenue between Alcamo Avenue and Haron Lane. Owners: Ponciano and Guillermina Madrigal. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-317 adopted approving agreement.

(Eng to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

Support

- a) AB 993 (Klehs) - Absent Voter Ballots
- b) SB 964 (Morgan) - Highways: Funding for Federal Aid Urban Systems

Oppose

- c) AB 686 (Floyd) - Workers' Compensation: Self-Insured Public Employers
- d) AB 2359 (Wright) - State Review of Local Decisions Regarding the Permitting of Solid Waste Facilities

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

ACTION: By motion, staff recommendations approved.

(Management Services to handle)

26. Appointments

None

27.

MATTERS TOO LATE FOR THE AGENDA

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

None

28.

CLOSED SESSION

(Closed session to consider an employee relations matter.)

ADJOURNMENT

Meeting adjourned at 10:20 p.m. to closed session and then to Thursday, May 16, 1985, at 3:00 p.m. in the Council Chambers to continue study of the budget.

ATTEST:



NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California


Present: Councilmembers Lang, Sutton, Whiteside, Mayor Mensinger

Absent: Councilmembers Bright, Muratore, Patterson

The following budgets were reviewed:

Downtown Improvement District
Engineering Services
 Administration
 Engineering
 Construction Administration
 Building Inspection
Utility Services
 Administration
 Electrical
 Streets
 Street Cleaning
 City Hall
 Water Division

The meeting adjourned at 4:20 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 21, 1985, AT 4:00 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 11, 12, 13, 14, 15,
17, 18, 19, 20, 22, 23

Removed from consent: 21

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of May 7, 9, and 13, and the regular meeting of May 14, 1985.
(Motion approving minutes needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Report on further study of Yosemite trunk sewer.
(At its April 23, 1985, the City Council held a public hearing on the Yosemite trunk sewer extension and General Plan amendment. By motion the Council stated its intent to approve the amendment and directed staff to report back after further study on several issues. The report with the agenda discusses those issues as well as recommendations for adoption of the General Plan amendment. Resolution certifying the Supplemental EIR and approving the General Plan amendment, and motion directing staff on how to proceed with the sewer trunk extension needed.)

ACTION: Res. 85-318 adopted (Sutton/Lang, unan., Mayor Mensinger absent) certifying your review of the supplemental E.I.R., adopting the revised General Plan amendment, adopting the revised Neighborhood Zoning and Development Plan and Policy, adopting the revised Statement of Overriding Considerations, and adopting the revised Mitigation Measures including item 8 in Appendix D of the report.

By motion (same vote) staff directed to follow option 1 of item II D of the report concerning the timing of the trunk extension.
(Clerk/Planning to handle)

CONSENT

4. Final adoption of Ord. No. 2332-C.S. rezoning from R-1 to P-D(375) to allow a two-phase, two-story apartment project on the south side of Paradise Road east and west of Pine Tree Lane. (First Interstate Bank)
(Motion adopting needed.)

ACTION: By motion, Ord. 2332-C.S. adopted. (Clerk to handle)

CONSENT

5. Final adoption of Ord. No. 2333-C.S. rezoning from R-1, R-2 and R-3 to P-D(374) to allow a psychiatric institute and residential treatment center at the southwest corner of Briggsmore and Claus.
(Claus/Briggsmore Investment)
(Motion adopting needed.)

ACTION: By motion, Ord. 2333-C.S. adopted. (Clerk to handle)

HEARINGS

6. Joint public hearing of the City Council and the Redevelopment Agency on proposed leases and development of land pursuant to proposed disposition and development agreement with Civic Plaza Hotel Associates and Hammons and Robbins.
(This hearing will not be held at this time because the leases and related documents were not available for public review.)

Hearing was not held.

7. Hearing to consider amendment to Sec. Map 30-3-9 to rezone from C-1 to C-2, property located on the south side of Kansas Avenue, west of Freeway 99. (Dick Lewis)

ACTION: By motion (Muratore/Bright, unan., Mayor Mensinger absent) Ord. No. 2334-C.S. introduced.

Res. 85-319 adopted (same vote) certifying review of Environmental Assessment. (Planning to handle)

8. Hearing to consider amendment to Sec. Map 28-3-9 to rezone from R-2 to P-D(376) to allow a 27-unit apartment complex, property located on the west side of Coffee Road north of Scenic Drive. (Dan Monterosso)

ACTION: By motion (Muratore/Whiteside, unan., Mayor Mensinger) Ord. No. 2335-C.S. introduced.

Res. 85-320 adopted (same vote) approving plan.

Res. 85-321 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

9. Hearing to consider amendment to Sec. Map 2-3-8 to rezone from R-2 to R-1, property located on the south side of Pelandale Avenue west of Dale Road. (Resource Development)

ACTION: By motion (Whiteside/Sutton, unan., Mayor Mensinger absent) Ord. No. 2336-C.S. introduced.

Res. 85-322 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider amendment to Sec. Map 24-3-8 to repeal a portion of P-D(167) which currently allows construction of nine duplexes on individual lots, and rezone to R-1, property located on the north side of Woodland Avenue east of Rosemore Avenue. (Zagaris Management Services)

ACTION: By motion (Bright/Whiteside, unan., Mensinger absent) Ord. No. 2337-C.S. introduced.

Res. 85-323 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

11. Consider authorizing the purchase of concrete products from American Transit Mix Company at the prices bid. (Memorandum with agenda. Resolution authorizing the purchase of concrete products from American Transit Mix Company needed. Estimated cost: \$15,000. Funds are included in the 1985-86 budget.)

ACTION: Res. 85-324 adopted authorizing purchase. (Finance to handle)
Page 3 5/21/85

CONSENT

12. Consider authorizing City Manager to sign agreement with Modesto Building Maintenance for janitorial services at American Legion Hall for the fiscal year beginning July 1, 1985, to June 30, 1986. (Memo with agenda. Resolution approving janitorial services agreement needed. Estimated cost: \$10,000. Funds are included in the 1985-86 budget.)

ACTION: Res. 85-325 adopted approving agreement. (Finance to handle)

CONSENT

13. Consider award of contract for the construction of Substation "A" at the City of Modesto Water Quality Control Plant. (Bids were opened April 23, 1985. The low bid of \$143,960, submitted by Con J. Franke Electric, Inc., is 27% above the engineer's estimate and considered acceptable. It is recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Con J. Franke Electric, needed. Estimated cost: \$143,960. Funds are budgeted.)

ACTION: Res. 85-326 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider accepting California Pavement Maintenance's contract for the slurry sealing of various City streets. Original contract: \$203,483.95. (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$212,486.28. Funds are budgeted.)

ACTION: Res. 85-327 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Letter from Timothy L. Schuppert, President of United Shuttle Systems, Inc., requesting financial support. (Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation. (Utility Services to handle)

16.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Elaine McDermott and Lucy Minesis spoke in opposition to the psychiatric institute to be located at the corner of Briggsmore and Claus Roads.

Stan Simmons invited the City Council to P.G. & E.'s Nostalgia Night at the Modesto A's game on May 25 and the energy fair at Vintage Faire on June 8 and 9, 1985, sponsored by P.G. & E. and M.I.D.

NEW BUSINESS

CONSENT

17. Consider selection procedures for professional consultants on federally funded projects.
(Memo with agenda. The City's policy gives preference to local consultants if all other factors are equal. UMTA finds this discriminatory. It is recommended that the preference be eliminated for federally funded projects. Resolution changing the policy to eliminate local preference on federally funded projects needed.)

ACTION: Res. 85-328 adopted changing policy to eliminate local preference on federally funded projects. (Clerk to handle)

CONSENT

18. Consider approval of an agreement with Recreation Systems, Inc. (Staff recommends approval of agreement with Recreation Systems, Inc. to furnish landscape services for the design and development of Phase I improvements at Tuolumne River Regional Park Athletic/Amphitheater Complex. Funds for this service have been budgeted and shall not exceed \$21,331. This project has been approved by the Tuolumne River Regional Park Committee. Resolution approving agreement needed.)

ACTION: Res. 85-329 adopted approving agreement. (P/R to handle)

CONSENT

19. Consider approval of the final map of the Vineyard No. 4 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. The Vineyard No. 4 subdivision is located on the north side of Standiford Avenue west of the Tidewater Southern Railroad right of way. It contains 7.194 acres. Resolution approving final map needed.)

ACTION: Res. 85-330 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approving a new letter of agreement between the City of Modesto and the Modesto Air Traffic Control Tower. (A new pilot activated runway/taxiway light system has been installed at the airport. A new letter of agreement with the Modesto Air Traffic Control Tower is required to specify City and Tower responsibilities regarding this system. Memo with agenda. Resolution approving letter of agreement needed.)

ACTION: Res. 85-331 adopted approving letter of agreement. (Utility Services to handle)

21. Consider approval of the Final Statement of Community Development Objectives and Budget for Fiscal Year 1985-86 and authorizing the City Manager to submit an application to the Department of Housing and Urban Development for a \$1,263,000 Community Development Block Grant for the City's Housing Program Office.
(Memo with agenda. The Citizens Housing and Community Development Committee reviewed the Final Statement of Objectives and Budget on May 3, 1985, and recommends City Council approval. Resolution approving statement and authorizing the City Manager to file application with HUD needed.)

ACTION: Res. 85-332 adopted (Lang/Bright, unan., Mayor Mensinger absent) approving statement and authorizing submission of the application. (Planning to handle)

CONSENT

22. Consider accepting consulting work of Wilbur J. Elias & Associates, Inc., in preparing plans, specifications and estimates for the Pavement Marking Demonstration Program as complete.
(Memo with agenda. Caltrans and the City Council have approved plans, specifications and estimates. Elias and Associates have fulfilled their contract obligations. Resolution accepting work as complete needed. Estimated cost: \$28,294. Funds are budgeted.)

ACTION: Res. 85-333 adopted accepting work as complete. (P/T to handle)

MISCELLANEOUS

CONSENT

23. Legislation: Staff recommends:

Supporting:

ACA 7 (Mountjoy), Nonpartisan Offices

Opposing:

AB 1129 (Chacon), Brown Act

SB 952 (Dills), Local Public Agency Employer-Employee Relations: Access Rights

SB 683 (Montoya) and AB 1372 (Moore), State Control Over Use of Cable Television franchise Fees

(Motion approving recommendations needed.)

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

24. Appointments

ACTION: Res. 85-334 adopted (Lang/Whiteside, unan., Mayor Mensinger absent)
appointing Laddie Dean Paulson to Seat 4 of the Rehabilitation Loan
Pool Subcommittee. (Clerk to handle)

CLOSED SESSION

25. Closed session to consider an employee relations matter.

ADJOURNMENT

The meeting adjourned at 5:42 p.m. to closed session and then to 3:00
p.m. on Thursday, May 23, 1985, in the Council Chambers to continue the
study of the budget.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 23, 1985

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Patterson, Sutton, Whiteside,
Mayor Mensinger


Absent: Councilmember Muratore

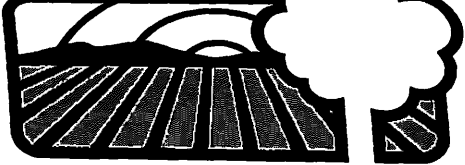
The following budgets were reviewed:

Music and Promotion

ACTION: By motion (Whiteside/Sutton, unan.) a previous motion that applications must be complete before the funds are paid was tabled until the staff has done some further study.

The meeting adjourned at 5:15 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 28, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 5, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 22, 24

Removed from consent: 23

ACTION: (Lang/Whiteside, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Signing of scroll for Flight for Peace.

The Mayor and Councilmembers signed the scroll that Don Monaco will deliver to the Soviet Union embassy in Paris, France.

2. Presentation of annual report of the Human Relations Commission.
(Motion acknowledging receipt of report and referring goals and objectives to staff for recommendations needed.)

ACTION: By motion (Lang/Sutton, unan.) receipt of report acknowledged and referred to staff for recommendations. (Mgmt Serv to handle)

MINUTES

CONSENT

3. Approval of the minutes of the adjourned regular meeting of May 16, 1985, and the May 21, 1985 regular City Council meeting.

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:

- a. Ord. No. 2334-C.S. rezoning from C-1 to C-2, property located on Kansas Avenue west of Freeway 99. (Dick Lewis)
- b. Ord. No. 2335-C.S. rezoning from R-2 to P-D(376), property located on the west side of Coffee Road north of Scenic Drive. (Dan A. Monterosso)
- c. Ord. No. 2336-C.S. rezoning from R-2 to R-1, property located on Pelandale Avenue west of Dale Road. (Resource Development)
- d. Ord. No. 2337-C.S. repealing a portion of P-D(167) and rezoning to R-1, property located on the north side of Woodland Avenue east of Rosemore Avenue. (Commission initiated)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

CONSENT

5. Consider conditions of approval for rezoning a portion of P-D(349) to a new P-D zone to allow mini-warehouses and financial institutions at the northeast corner of Standiford Avenue and Prescott Road. (On May 14, 1985, the Council considered the appeal of Resource Development to a Planning Commission decision denying the requested rezoning. By motion, the Council indicated its intention to grant the appeal and directed staff to develop appropriate conditions of approval. Memo with recommended conditions with agenda. Introduction of ordinance amending the Zoning Map needed, and resolution approving a development plan for P-D(378) and certifying review of environmental assessment needed.)

ACTION: By motion, Ord. No. 2338-C.S. introduced.
Res. 85-335 adopted approving plan and certifying review of
Environmental Assessment. (Clerk/Planning to handle)

HEARINGS

6. Hearing to consider a Municipal Code text amendment regarding satellite antennas in residential areas.

ACTION: By motion (Muratore/Lang, unan.) Council indicated its intention to approve the Planning Commission recommendation with the inclusion of a plot plan review by the Board of Zoning Adjustment for any satellite antennas above 15 feet, with a 35 foot maximum, and with the ordinance to be reviewed in one year, and directed staff to include the provisions in Omni 8. (Planning to handle)

7. Hearing to consider amendment to sign regulations to delete reference to Nonconforming Signs Compliance of 1982-84 and make minor changes.

ACTION: By motion (Patterson/Bright, unan.) Council indicated its intention to make the changes recommended and directed staff to include changes in Omni 8. (Planning to handle)

8. Hearing to consider rezoning from R-1 to R-2 and P-D(377) to allow multiple-family development, property located on the south side of Floyd Avenue east of Lincoln Oak Drive. (Steinpress)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2339-C.S. introduced. Res. 85-336 adopted (same vote) approving plan. Res. 85-337 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

9. Consider approving specifications and authorize call for bids to be opened June 18, 1985, at 3:00 p.m. for furnishing one traffic signal controller.
(Requested by the Utility Services Electrical Division, the traffic signal controller will replace a similar unit at Scenic and Oakdale/EI Vista Roads. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,000; funds are budgeted.)

ACTION: Res. 85-338 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approval of plans and specification and call for bids for Sipherd Park landscape and irrigation improvements.
(This project will provide for the installation of irrigation and landscaping at Sipherd Park. Suggested bid opening: June 18, 1985, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$154,480 (construction \$140,480; engr. \$14,000); funds are partially budgeted. Balance to be requested after award of contract.)

ACTION: Res. 85-339 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for construction of a bike trail and 10" water line along Dry Creek from Moose Park to East La Loma Park.
(Suggested bid opening: June 18, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated total cost: \$128,414. (Estimated cost for bike trail: \$82,710 (const. \$75,190; engr. \$7,520). Estimated cost for water line: \$45,704 (const. \$40,640; engr. \$5,064); funds are budgeted.)

ACTION: Res. 85-340 adopted calling for bids. (Eng to handle)

CONSENT

12. Authorize the purchase of the City's annual requirements of street name signs from Safe-T-Lite at the prices bid.
(Memorandum with agenda. Resolution authorizing the purchase of street name signs from Safe-T-Lite needed. Estimated cost: \$12,800; funds are budgeted.)

ACTION: Res. 85-341 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of traffic signal controllers, cabinets and parts from BBUDDCO for the total price of \$30,231.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase from BBUDDCO needed. Funds are budgeted.)
(Five affirmative votes needed.)

ACTION: Res. 85-342 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

14. Consider authorizing the City Manager to accept the written proposal of the Modesto Bee to print and publish the official legal advertising for one year beginning July 1, 1985, and ending June 30, 1986.
(Memorandum with agenda. Resolution accepting proposal needed. Estimated cost: \$15,000. Funds are budgeted.)

ACTION: Res. 85-343 adopted accepting proposal. (Clerk to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

ACTION: Res. 85-344 adopted (Muratore/Lane, unan.) adopted approving agreement with Modesto Sand and Gravel for use of parking lot No. 34 during demolition of the Strand Theater. (Atty to handle)

NEW BUSINESS

16. Consider request by King-Kennedy Memorial Center Board for City financial assistance.
(The Board is requesting the City pay the insurance for June Tenth Day on June 15, 1985, at Mellis Park. Staff has reviewed the request with the Board and recommends approval Memo with agenda. Resolution approving request needed. Estimated cost: \$700) (Vice Mayor Patterson will be excused due to a conflict of interest.)

ACTION: Res. 85-345 adopted (Lang/Bright, unan., Patterson absent) authorizing contribution for the amount of the premium for the required insurance up to a maximum of \$700. (P/R to handle)

17. Amend the position classification plan and salary resolution to add new classifications: "Assistant Director - Community Center," "Community Center Events Coordinator," "Community Center Maintenance Supervisor;" and amend one classification: "Building Maintenance Worker."
(Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed.) (Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: Res. 85-346 adopted (Bright/Lang, majority, Patterson-no, Whiteside and Mayor Mensinger absent) amending Position Classification Plan.

Res. 85-347 adopted (same vote) amending salary schedule.
(Mgmt Serv to handle)

CONSENT

18. Consider ratifying lease contract between the City and Municipal Leasing Associates' nominee, City National Bank, for acquisition of Finance Department computer system, and designating Garth Lipsky, City Manager, and Pete Brock, Director of Finance, as the City's agents.
(Resolution ratifying lease contract and designating City's agents needed.)

ACTION: Res. 85-348 adopted ratifying lease contract and designating City's agents. (Finance to handle)

CONSENT

19. Consider approving hold harmless agreement with the County of Stanislaus for use of transportation vans and a bus on June 15, 1985.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-349 adopted approving agreement. (Police to handle)

CONSENT

20. Consider approval of work order and agreement with Towill, Inc. for updating aerial photo mapping and authorize City Manager to sign agreement.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 85-350 adopted approving agreement. (Eng to handle)

CONSENT

21. Consider authorizing City Manager to sign revocable permit between the City of Modesto and Hetch Hetchy Water and Power for the installation of a 21-inch storm drain line on Tully Road and under the Hetch Hetchy San Joaquin pipelines at Hetch Hetchy Parcel No. 644.
(The storm drain will serve the Tully Road area and empty storm drain water into the canal. Resolution authorizing City Manager to sign permit needed.)

ACTION: Res. 85-351 adopted authorizing City Manager to sign permit.
(Eng to handle)

CONSENT

22. Consider request for water service to property outside City limits at 1117 Lone Palm Avenue located on the west side of Lone Palm between Emerald Avenue and Kansas Avenue. (Owners: Allen R. and Carolyn M. Grant)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, however, a line exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-352 adopted approving agreement. (Eng to handle)

23. Consider modifying speed limits on various streets.
(Memo with agenda. One new and one revised non-radar-enforceable speed limits are proposed. Two revised radar-enforceable speed limits are also proposed. Introduction of an ordinance amending Municipal Code Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$600; funds are budgeted.)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2340-C.S. introduced.
By motion (same vote) Police Dept. requested to give extra patrol in school vicinities on Orangeburg. (Police to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends opposing ACA 26 and AB 1866 (Johnson) - Restrictions on Local Taxing Authority.
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

25. Appointments

None

26.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

This meeting adjourned at 9:55 p.m. to Thursday, May 30, at 3:00 p.m. and then to Monday, June 3, 1985, at 3:00 p.m. to continue study of the budget.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore, Sutton, Whiteside,
Acting Mayor Patterson

Absent: Mayor Mensinger

The following budgets were reviewed:

Utility Services Department

Sewerage Wastewater Collection
Sewerage Wastewater Treatment Primary
Sewerage Wastewater Treatment Secondary
Sewerage Monitoring and Control
Sewerage Treatment Plant Improvements Administration
Airport
Bus Maintenance
Service Division - Main Shop
Service Division - Police Shop
Methane Gas Generation

CAPITAL IMPROVEMENT PROGRAM

Planning and Community Development
Community Housing Improvement
Streets (Bicycle Lane projects)

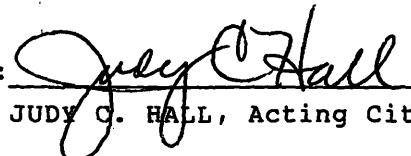
Management Services

Utility Services Department
Water Utility Development
Sewer Lines & Treatment Facilities
Airport Development
Service Pool Equipment
City Hall and Other Service Facilities

Engineering Services Department
Storm Drains
Streets

The meeting adjourned at 5:08 p.m. to Monday, June 3, 1985 at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto.

ATTEST:


JUDY C. HALL, Acting City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Patterson, Sutton, Whiteside,
Mayor Mensinger
Councilmember Lang arrived at 3:35 p.m.
Councilmember Patterson excused at 4:10 p.m.

Absent: Councilmember Muratore

The following budgets were reviewed:

CAPITAL IMPROVEMENT PROGRAM

Engineering Services Department
Streets

ACTION: By motion (Whiteside/Sutton, unan., Lang and Muratore absent) staff directed to prepare a plan for Council consideration on what improvements might be made in the Airport area and recommend the make-up of a committee to be involved in the plan.

Downtown Area Improvements
Engineering Services Miscellaneous

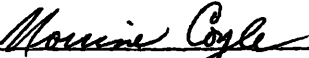
Parks & Recreation
Parks & Recreation Land Acquisition and Development
Service Pool Equipment
Service Facility
Tuolumne River Regional Park

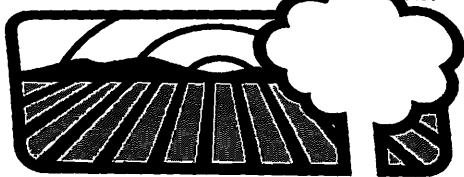
Parking & Traffic
Traffic Signals and Other Controls
Parking Facility Development
Bus Service Facilities and Equipment

Fire Department
Fire Equipment and Facilities

Police Department
Information Processing Requirements, and Police

The meeting adjourned at 4:55 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 4, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Garth Bolinder, Modesto Covenant Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 21, 22, 23, 24, 25, 26

Dropped from agenda: 15

Removed from Consent: 20

ACTION: (Sutton/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Bud Stone and Bev Kilpatrick presented T shirts to the Mayor and Councilmembers to commemorate the construction of a "24-hour" house, the proceeds of which will go to the McHenry Mansion restoration.

MINUTES

CONSENT

2. Approval of the minutes of the May 23, 1985, adjourned regular City Council meeting and the May 28, 1985, regular City Council meeting. (Motion approving needed.)

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

UNFINISHED BUSINESS

3. Further consideration of removing the railroad tracks from 9th Street.

Councilmembers Sutton and Whiteside and Mayor Mensinger excused due to potential conflicts of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton, Whiteside and Mayor Mensinger absent) report accepted and staff authorized to negotiate an agreement with DeLeuw, Cather and Company, who then can negotiate an agreement with the railroad companies. (P/T to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2338-C.S. rezoning from P-D(349) to P-D(378), property located at the northeast corner of Standiford Avenue and Prescott Road. (Resource Development)
- b. Ord. No. 2339-C.S. rezoning from R-1 to R-2 and P-D(377), property located on the south side of Floyd Avenue, east of Lincoln Oak Drive. (Steinpress Development)
- c. Ord. No. 2340-C.S. amending the Municipal Code relating to speed limits in the City of Modesto.

(Motion adopting needed.)

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

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for resurfacing of pathways in Mancini Park and Westside Park. (Suggested bid opening: June 18, 1985, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$41,315 (contract \$37,559; engineering \$3,756); funds are budgeted.)

ACTION: Res. 85-353 adopted calling for bids. (Eng to handle)

CONSENT

6. Consider award of contract for street tree work in Housing Improvement Area No. 3.
(Bids were opened May 28, 1985, at 11:00 a.m. The low bid of \$18,210.00, submitted by Town & Country Tree & Pest Control, Inc., is 6.25% below the engineer's estimated and considered acceptable. Memo and bid tabulation with agenda. Resolution awarding contract to Town & Country Pest Control, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-354 adopted awarding contract. (Eng to handle)

CONSENT

7. Consider declaring Glen Wilson Trucking, Central Ready Mix, and M. J. Ruddy and Sons three low bidders for rock, sand and gravel products and authorizing the purchase of these products for the 1985-86 fiscal year at the respective prices bid.
(Resolution declaring Glen Wilson Trucking low bidder on Item 1, Central Ready Mix on Items 3 and 4, and M. J. Ruddy and Sons on Items 2, 5, 6, 7, and 8, and authorizing the purchase of products needed. Estimated cost: \$24,000; funds are budgeted.)

ACTION: Res. 85-355 adopted awarding bids. (Finance to handle)

CONSENT

8. Consider declaring Tree Haven Nursery low bidder meeting City specifications on Items I, IV and VI and authorize the purchase of golf course replacement trees from the firm for the total amount of \$8,467; and consider declaring Boething Nursery low bidder meeting City specifications on Items II and V, and authorize the purchase of golf course replacement trees from the firm for the total amount of \$3,440.
(Resolution authorizing purchase from Tree Haven Nursery needed, and resolution authorizing purchase from Boething Nursery needed. Estimated cost: \$11,907; funds re budgeted.)

ACTION: Res. 85-356 adopted awarding bid to Tree Haven Nursery.
Res. 85-357 adopted awarding bid to Boething Nursery.
(Finance to handle)

CONSENT

9. Consider declaring Gilbert Testing low bidder and authorize the purchase of compaction, aggregate, and concrete testing services from the firm for the prices noted on Exhibit A of memorandum with agenda.
(Resolution authorizing purchase of compaction, aggregate, and concrete testing services from Gilbert Testing needed. Estimated cost: \$7,270; funds are budgeted.)

ACTION: Res. 85-358 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider acceptance of Osterberg & Stewart's contract for Well No. 46. Original contract: \$20,809.20
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file a Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$24,857.20; funds are budgeted.)

ACTION: Res. 85-359 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of Modesto Paving's contract for the replacement of downtown curbs - Project No. 2 Original contract: \$26,033.75.
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file a Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$25,515.75; funds are budgeted.)

ACTION: Res. 85-360 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of gas and diesel for the 1985-86 fiscal year from source with the best available price or from any other source available in the event of restricted supplies .
(Memorandum with agenda. Resolution authorizing purchase of gas and diesel from source with best price needed. Estimated cost. \$604,000; funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 85-361 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of water pump repair services from Osterberg and Stewart for the total price of \$11,200.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 85-362 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

14. Consider executing an escrow agreement with Homer J. Olsen, Inc. and the Bank of America on Units 2 and 3 of the Wastewater Treatment Plant Expansion Project.
(The contract documents allow a substitution of securities in lieu of cash retentions for the project. Olsen is requesting that we enter into an escrow agreement with them instead of retaining 10% of their progress payments. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-363 adopted approving agreement. (Utility Services to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Consider application of Clyde Baker for leave to present late claim.
(Copy of application with agenda. Resolution denying application needed.)

Dropped from agenda.

16.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

- ACTION: By motion (Muratore/Lang, unan.) the request by Jerry Gilliland to close the alley between Sunrise and Potter opening on to Athens near Standiford School was referred to staff for recommendation.
(Planning to handle)

NEW BUSINESS

17. Consider approving master plan for McHenry Mansion landscaping.
(Culture Commission has reviewed plan and is recommending approval. Copy of master plan with agenda. Motion approving master plan needed.)

ACTION: By motion (Muratore/Sutton, unan.) master plan approved.
(P/R to handle)

CONSENT

18. Set date for public hearing for Code text amendment regarding satellite antennas in non-residential areas.
(The Planning Commission recommends on a permitted basis, one satellite antenna per use to the rear of a site (ground-mounted) and rear of building (pole or roof mounted); plot plan review by the Board of Zoning Adjustment for more than one satellite antenna per use or locations elsewhere; and conditional use permit review by the BZA for a satellite antenna larger than 13 feet in diameter or higher than 35 feet.
Resolution setting public hearing June 18, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-364 adopted setting hearing. (Clerk to handle)

19. Consider approval of implementation of northeast downtown traffic flow improvements.
(After Planning Commission and city Council review of many alternatives in January, 1984, short term (Phase A) and long term (Phase B) designs were selected by the City Council for further study and environmental review. An EIR has been prepared. Implementation of Phase A is recommended, making Burney Street one-way northbound between G and Downey; 14th Street one-way northwest-bound between H and Downey; H Street one-way southwest-bound between 19th and Downey; and Downey one-way westbound between I and 19th. Memo with agenda. Motion directing staff to proceed with implementation of Phase A needed, and resolution certifying review of Northeast Downtown Traffic Flow Improvements EIR needed. Estimated cost: \$9,000; no funds being obligated at this time.)

- Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.

ACTION: By motion (Lang/Bright, unan., Whiteside and Mayor Mensinger absent) staff directed to proceed with implementation of Phase A.

Res. 85-365 adopted (same vote) certifying review of EIR.
(P/T to handle)

CONSENT

20. Consider City-County Joint Transportation Committee recommendations on transit.
(Memo with agenda. The recommendations cover two items. Motions implementing recommendations needed)

ACTION: By motion (Patterson/Whiteside, unan.) staff authorized to implement recommendations.
(P/T to handle)

CONSENT

21. Consider approval of request by Western Geophysical Company for an encroachment permit to conduct geophysical surveying along State Highway 132 in the City limits.
(Memo with agenda. Resolution approving issuance of encroachment permit needed.)

ACTION: Res. 85-366 adopted approving issuance of encroachment permit.
(Eng to handle)

CONSENT

22. Consider approval of proposed agreement with Recreations Systems, Inc. to develop master plan for Wesson Ranch Neighborhood Park.
(Staff is recommending contract with Recreation Systems, Inc. to develop master plan for Wesson Ranch Neighborhood Park. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$4,500; funds are budgeted.)

ACTION: Res. 85-367 adopted approving agreement.
(P/R to handle)

CONSENT

23. Consider updating existing agreement with State under which City maintains State highways within the City.
(The Department of Utility Services and the Department of Parking and Traffic maintain certain components of State highways within the City of Modesto. The work is done under a standard maintenance agreement with the Department of Transportation. Memo with agenda. Resolution approving revised agreement needed.)

ACTION: Res. 85-368 adopted approving revised agreement.
(Utility Services to handle)

CONSENT

24. Revise water and sewer service charges for schools.
(Annual review of school water and sewer rates has been completed. An increase in both fees is recommended to become effective November 1, 1985. Memo with agenda. Resolution updating school water and sewer fees needed.)

ACTION: Res. 85-369 adopted updating school sewer fees.
Res. 85-369A adopted updating school water fees.
(Utility Services/Finance to handle)

CONSENT

25. Consider approval of the preapplication for Federal funding to reconstruct the terminal apron and relocate the General Aviation access road.

(The two projects are included in the 1985-856 Capital Improvement Program at the Airport. The projects are eligible for federal grants. The preapplication for Federal funding has been prepared and is ready to be submitted to the FAA. Memo with agenda. Resolution authorizing City Manager to sign preapplication for federal grant needed. Estimated cost: Federal \$293,400; County \$16,300; City \$16,300; Total \$326,000; funds are budgeted.)

ACTION: Res. 85-370 adopted authorizing signing of preapplication.
(Utility Services to handle)

CONSENT

26. Consider approval of the final map of Pioneer Village No. 2 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.

Subdividers: James D. and Donna Kay Horn

(The subdivision agreement has been signed and all fees paid. Pioneer Village No. 2 is located east of Carpenter Road and south of Elm Avenue. It contains 4.648 acres. Resolution approving final map needed.)

ACTION: Res. 85-371 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

This meeting adjourned at 6:05 p.m. to 6:30 p.m., at Laszlo's Restaurant, 915 Yosemite Boulevard, Modesto, for a joint meeting with the Modesto Irrigation District Board of Directors.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
June 4, 1985

The Council of the City of Modesto met pursuant to adjournment at 6:30 p.m. at Laszlo's Restaurant, 915 Yosemite Boulevard, Modesto, California.


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

Absent: Councilmembers: None

The Councilmembers met with the MID Board of Directors and discussed energy conservation, economic development and water management and conservation.

The meeting adjourned at 9:50 p.m.

ATTEST:


GARTH LIPSKY, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 11, 1985, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Jim Tally, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 14, 16, 17,
18, 19, 20, 21, 22

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Acting Mayor Patterson presented the Mayor's proclamation to Dave Kilby proclaiming the last week of June as Chamber of Commerce week.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meetings of May 30, 1985, and June 3, 1985, and the regular City Council meeting of June 4, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider rezoning from R-2 to P-D(379) to allow a condominium project, property located on the south side of Pelandale Avenue west of Gagos Drive. (Resource Development)

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent), Ord. 2341-C.S. introduced, rezoning.
Res. 85-372 adopted (same vote) approving plan.
Res. 85-373 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

4. Hearing to consider rezoning from P-D(298) to R-3, property located at the southeast corner of Coffee Road and Sylvan Avenue. (Robert Weeks)

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent) Ord. No. 2342-C.S. introduced. (Clerk to handle)

5. Hearing to consider rezoning from P-D(312) to R-1, property located on the south side of Parker Road east of Claus Road. (Parker Road Ranches)

ACTION: By motion (Whiteside/Sutton, unan., Mayor Mensinger absent) Ord. 2343-C.S. introduced. (Clerk to handle)

6. Hearing to consider rezoning from P-D(303) to R-1, property located on the east side of Prescott Road west of Sheldon Drive. (Young Ranch)

ACTION: By motion (Sutton/Bright, unan., Mayor Mensinger absent) Ord. 2344-C.S. introduced. (Clerk to handle)

7. Hearing to consider rezoning from P-D(206) to R-1, property located on the southeast corner of Coffee Road and Mable Avenue. (Stone Brothers)

ACTION: By motion (Bright/Whiteside, unan., Mayor Mensinger absent) Ord. 2345-C.S. introduced. (Clerk to handle)

8. Hearing by City Council to consider the proposed 1985-87 Budget and the Revenue Sharing Program.

No action taken.

BIDS

CONSENT

9. Consider award of contract for the slurry seal of various City streets, 1985.
(Bids were opened June 4, 1985. The low bid of \$435,559.70, submitted by Graham Contractors, Inc., is 21.13% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Graham Contractors, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Graham Contractors, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-374 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider award of contract for the construction of American Legion Hall restrooms.

(Bids were opened May 21, 1985, at 11:00 a.m. The low bid of \$65,000, submitted by Pro Builders, Inc., is 20.49% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Pro Builders, Inc. Resolution awarding contract to Pro Builders, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-375 adopted awarding contract. (Eng. to handle)

CONSENT

11. Consider authorizing the purchase of liquid chlorine from Jones Chemicals, Inc. for the bid price of \$187 per ton for a period of one year beginning July 1, 1985.

(Memorandum with agenda. Resolution authorizing the purchase of liquid chlorine from Jones Chemicals, Inc. needed. Estimated cost: \$114,040; funds included in 1985-86 budget.)

ACTION: Res. 85-376 adopted authorizing purchase. (Finance to handle)

WRITTEN COMMUNICATIONS

12. Youth Commission request for Council resolution supporting "Sober Graduation."

ACTION: Res. 85-377 adopted (Whiteside/Lang, unan., Mayor Mensinger absent) supporting "Sober Graduation". (P/R to handle)

13. Letter from Dianne La Barbera, representing her neighborhood, regarding the location of the psychiatric facility on Briggsmore.

No action taken.

CONSENT

14. Letter re hot air balloon races at the Modesto City-County Airport. (Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff for recommendation. (Utility Services to handle)

- 15.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Whiteside excused due to a potential conflict of interest.

Bob Oliver spoke about F.P.P.C. provisions regarding conflicts of interest.

NEW BUSINESS

CONSENT

16. Approve grant agreement with Caltrans for replacement of the narrow bridge over the MID canal on California Avenue.
(The supplement would grant the City \$100,000 in Federal funds. The new bridge would enhance the safety of the street. Resolution approving agreement needed. Estimated cost: \$125,000; funds are budgeted.)

ACTION: Res. 85-378 adopted approving agreement. (Eng. to handle)

CONSENT

17. Consider request by Chamber of Commerce for direct City assistance for the Graffiti Night car show and parade.
(Memo with agenda. Resolution approving application for direct City assistance needed. Estimated cost: \$472.84; funds are budgeted.)

ACTION: Res. 85-379 adopted approving application. (Police to handle)

CONSENT

18. Consider acceptance of improvements in Lakewood Condominiums subdivision and authorize City Clerk to file Notice of completion and release bonds upon expiration of statutory periods. (Developer: Resource Development) (Lakewood Condominiums subdivision is located on the east side of Lakewood Avenue and the north side of Laramie Drive. It contains 3.846 acres. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-380 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

19. Presentation of monthly Financial Statement and monthly Treasurer's Report for May, 1985.
(Copies of the reports will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Consider authorizing City Manager to sign reimbursement agreement for property located on the north side of Standiford Avenue between Carver Road and Shawnee Drive. (Owners: Peter Giambanco and CPC Navarra) (City normally removes and replaces pavement 10 feet each side of the centerline on major streets at City expense. Owners have requested permission to construct the required pavement removal and replacement in conjunction with installation of all other improvements for owner's project. Section 4-4.802.1 of the Modesto Municipal Code allows the City to enter into an agreement to reimburse owners for cost of improvements. Resolution approving agreement needed. Estimated cost: \$19,399.50; funds are budgeted.)

ACTION: Res. 85-381 adopted approving agreement. (Eng. to handle)

CONSENT

21. Set date for a public hearing for the proposed Standiford Avenue No. 4 Governmental Reorganization.
(On May 22, 1985, LAFCO approved this Governmental Reorganization which was initiated by a petition of property owners. The Governmental Reorganization would include two agricultural parcels on Standiford Avenue, Hetch Hetchy right of way, a portion of MID Lateral No. 7 and three residential properties along Veneman Avenue. These parcels total 43.42 acres and contain an existing dairy barn and five single-family dwellings. There are four registered voters within the area. Resolution setting public hearing on July 9, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-382 adopted setting hearing. (Clerk to handle)

- 21A. Status report on timing of community center disposition and development agreement negotiations.
(Staff will make an oral report and recommend any necessary actions.)
(Councilmember Whiteside will be excused due to a potential conflict of interest.)

ACTION: Res. 85-383 adopted (Muratore/Lang, majority, Patterson-no, Whiteside, and Mayor Mensinger absent) setting hearing regarding community center disposition and development agreement on July 2, 1985, at 4:00 p.m. (Clerk to handle)

MISCELLANEOUS

CONSENT

22. Legislation

Staff recommends strong opposition to SB 887 (Seymour) - Sale or Lease of School Sites: Zoning.
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

23. Appointments
None

24. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)
None

CLOSED SESSION

25. Closed session to consider an employee relations matter.

ADJOURNMENT

The meeting adjourned at 10:12 p.m. to closed session and then to Wednesday, June 12, 1985, at 3:00 p.m., in the Council Chambers, to continue study of the budget.

ATTEST: 
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore, Sutton, Whiteside,
Acting Mayor Patterson

Absent: Mayor Mensinger

The following budgets were reviewed:

Music and Promotion budget

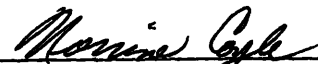
ACTION: By motion (Whiteside/Bright, unan., Sutton and Mayor Mensinger absent) \$8,500 was approved for the Modesto Symphony.

By motion (Bright/Lang, unan., Whiteside and Mayor Mensinger absent) \$6,000 was approved for the Modesto Performing Arts Association.

By motion (Lang/Whiteside, unan., Mayor Mensinger absent) amounts in the Music and Promotion budget for all groups except the Modesto Symphony and Modesto Performing Arts Association were approved as requested or as revised by the City Council.

The meeting adjourned at 3:50 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 18, 1985, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore,
Sutton, Whiteside, Acting Mayor Patterson
Councilmember Lang arrived at 4:10 p.m.
Absent: Mayor Mensinger

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 13, 14, 15, 16, 17,
18, 19, 21, 22, 23, 25, 26, 27,
Dropped from agenda: 24 28, 29

ACTION: (Whiteside/Bright, unan., Lang and Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Acting Mayor Patterson introduced three members of Boy Scout Troop 137

MINUTES

CONSENT

2. Approval of the minutes of the June 11, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider staff report pertaining to request of Jerry Gilliland that the alley extending between Potter Avenue and Sunrise Avenue at Athens Avenue be closed to vehicles.

(At the meeting of June 4, 1985, Mr. Gilliland requested that the Council close the alley for safety reasons. The Council referred the request to staff for a report. Report with agenda. Motion directing staff needed.)

No action taken

4. Consider staff report on complaint received from United Shuttle regarding the "Fly Modesto" marketing program.

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

No action taken

CONSENT

5. Consider City-County Transportation Committee recommendations on transit. (Memo with agenda. The recommendations cover four items. Resolution setting hearing July 9, 1985, at 7:30 p.m. to consider bus fare and service changes needed, and motion directing staff to implement other recommendations needed. Estimated cost: \$2,000; funds are budgeted.)

ACTION: Res. 85-384 adopted setting hearing.

By motion, staff directed to implement other recommendations. (P.T. to handle)

CONSENT:

7. Final adoption of:

- a. Ord. No. 2341-C.S. rezoning from R-2 to P-D(379), property located on the south side of Pelandale Avenue west of Gagos Drive. (Resource Development)
- b. Ord. No. 2342-C.S. repealing P-D(298) and rezoning to R-3, property located at the southeast corner of Coffee Road and Sylvan Avenue. (Commission initiated)
- c. Ord. No. 2343-C.S. repealing P-D(312) and rezoning to R-1, property located on the south side of Parker Road east of Claus Road. (Commission initiated)
- d. Ord. No. 2344-C.S. repealing P-D(303) and rezoning to R-1, property located on the east side of Prescott Road west of Sheldon Drive. (Commission initiated)
- e. Ord. No. 2345-C.S. repealing P-D(206) and rezoning to R-1, property located on the southeast corner of Coffee Road and Mable Avenue. (Commission initiated)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

8. Hearing to consider an amendment to Section 23-3-9 of the Zoning Map to repeal a portion of P-D(147) and rezone to R-1, property located on the east side of Oakdale Road between E. Briggsmore Avenue and St. Paul's Way. (St. Paul's Episcopal Church)

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) Ord. No. 2346-C.S. introduced repealing portion of P-D(147) (Clerk to handle)

9. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to rezone from P-D(309) to P-D(380) to allow construction of an office building at 717 16th Street, on the southwest side of 16th Street between G & H Streets. (Russ Evers)

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent) Ord. No. 2347-C.S. introduced rezoning.
Res. 95-385 adopted approving plan.(same vote)
Res. 85-386 adopted certifying review of Environmental Assessment.(same vote)
(Clerk/Planning to handle)

10. Hearing to consider amendment to Section Map 22-3-9 to rezone from R-1 to P-0, property located at the southwest corner of East Coolidge and Water Street. (Henry)

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) Ord. No. 2348-C.S. introduced rezoning.
Res. 85-387 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

11. Hearing to consider a Municipal Code text amendment regarding satellite antennas in non-residential areas.

ACTION:By motion (Lang/Muratore, unan., Mayor Mensinger absent) intention declared to approve Planning Commission recommendations and include in Omni 8.
(Planning to handle)

12. Reduction in plot plan review fees for satellite antennas for single-family residences.
(The plot plan review fee is \$120. Staff recommends reduction to \$50 for single-family residences. This is consistent with fees for single-family residences for other applications: \$50 for a conditional use permit or a variance versus \$190 standard rate. Memo with agenda. Resolution amending Res. No. 81-1000 setting Planning and Community Development Department fees needed.)

ACTION: Res. 85-388 adopted (Bright/Lang, unan., Mayor Mensinger absent) amending Res. 81-1000 and setting fees. (Clerk to handle)

BIDS

CONSENT

13. Consider awarding contract for eight bus passenger shelters to Ace Aluminum Company.
(Memo with agenda. Low bid submitted is below estimated cost. Delivery of shelters is expected September 1, 1985. Resolution awarding contract for eight bus passenger shelters needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 85-389 adopted awarding contract. (P.T. to handle)

CONSENT

14. Consider awarding contract for two transit buses to Gillig Corp. (Memo with agenda. Low bid submitted is below estimated cost. Delivery of buses is expected by June 18, 1986. Resolution awarding contract for two buses needed. Estimated cost: \$302,500; funds are budgeted.)

ACTION: Res. 85-390 adopted awarding contract. (P.T. to handle)

CONSENT

15. Consider declaring L. N. Curtis & Sons low bidder and authorize the purchase of replacement fire hose from the firm for the total price of \$7,719.98. (Memorandum with agenda. Resolution declaring L. N. Curtis low bidder and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-391 adopted awarding contract. (Finance to handle)

CONSENT

16. Consider declaring Borges & Mahoney, Inc. low bidder and authorizing the purchase of emergency breathing equipment for \$8,013.60. (Memorandum with agenda. Resolution declaring Borges & Mahoney, Inc. low bidder and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-392 adopted awarding contract. (Finance to handle)

CONSENT

17. Consider declaring Crystal Pool Service low bidder for furnishing swimming pool chlorine and muriatic acid. (Memorandum with agenda. Resolution declaring Crystal Pool Service low bidders and authorizing the purchase needed. Estimated cost: \$7,285; funds are budgeted.)

ACTION: Res. 85-393 adopted awarding contract. (Finance to handle)

CONSENT

18. Consider authorizing the purchase of annual requirements for dry-cell batteries from Brill Electronics at the prices listed. (Memorandum with agenda. Resolution authorizing the purchase of dry cell batteries from Brill Electronics needed. Estimated cost: \$3,300 (City portion); funds are budgeted.)

ACTION: Res. 85-394 adopted awarding contract. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

19. Resignation of Homer N. Bowen from the Farm City Committee. (Resolution accepting resignation with regret needed.)

ACTION: Res. 85-395 adopted accepting resignation with regret. (Clerk to handle)

20.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

There was a discussion of the proposed psychiatric hospital.

NEW BUSINESS

CONSENT

21. Consider amendment to agreement with Municipal Code Corporation to increase the cost of printing from \$13.75 per printed page to \$14.75. (Memo with agenda. Resolution approving amended agreement needed. Estimated cost: \$8,000; funds are budgeted.)

ACTION: Res. 85-396 adopted approving amended agreement. (Clerk to handle)

CONSENT

22. Set date for public hearing to consider reversion to acreage of Kansas Business Park subdivision. (By Res. No. 84-200, adopted December 17, 1984, the Planning Commission recommended approval of a reversion to acreage of Kansas Business Park, a commercial/industrial condominium at the northwest corner of Kansas Avenue and Lone Palm Avenue. The final map has now been submitted for approval. Memo with agenda. It is recommended that the Council set hearing July 9, 1985, at 7:30 p.m. Resolution setting public hearing needed.)

ACTION: Res. 85-397 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider approval of cooperative agreement with Stanislaus County for the overlaying and reconstruction of Sylvan Avenue between Coffee Road and Oakdale Road. (The agreement sets forth the distribution of costs for the cooperative project. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$475,000; funds are budgeted.)

ACTION: Res. 85-398 adopted approving agreement. (Eng. to handle)

CONSENT

24. Consider approval of a Resolution of Intention to amend the contract with the Public Employees Retirement System for a one-time 4% increase in retirement benefits for members who retired or died prior to January 1, 1981. (Memorandum with agenda. Adoption of resolution needed.)

Dropped from agenda.

CONSENT

25. Consider approving amendment to agreement with Zagaris Management Services, Inc. for extra time to install subdivision improvements adjacent to Orchard Neighborhood Park.
(The purpose of this amendment is to allow Zagaris extra time to install certain subdivision improvements adjacent to Orchard Neighborhood Park. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-399 adopted approving amendment to agreement.
(Utility Serv. to handle)

CONSENT

26. Consider approving agreement with Lewis W. and Gloria E. Lee and Leslie H. and Frances E. Lee for the acquisition of a temporary work easement and payment of damages for work on the parallel outfall.
(The Lees have agreed to accept \$6,640 as payment for the damages done during the construction. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 85-400 adopted approving agreement. (Utility Serv. to handle)

CONSENT

27. Request for refund of \$556.95 overpayment of Business Improvement Area Tax - Professional Chevron Service.
(Memo with agenda. Resolution approving refund needed. Funds are budgeted.)

ACTION: Res. 85-401 adopted approving refund. (Finance to handle)

CONSENT

28. Consider authorizing a refund of \$5,899.54 to Del Este Water Company for overpayment of Utility User Taxes.
(Memo with agenda. Resolution authorizing refund needed. Funds are budgeted.)

ACTION: Res. 85-402 adopted authorizing refund. (Finance to handle)

MISCELLANEOUS

CONSENT

29. Legislation: Staff recommends:

Support

- a. AB 365 (La Follette) - Obscene Matter

Oppose

- b. AB 1551 (Bradley) - County Surcharge on City Parking Fines and Forfeitures

Neutral

- c. AB 223 (Peace) - Water Service - Residential Charges

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

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

30. Appointments

None

31.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Whiteside excused due to a potential conflict of interest.
There was a discussion concerning the Hammons agreement.

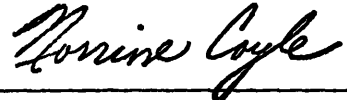
CLOSED SESSION

32. Closed session to consider an employee relations matter.

ADJOURNMENT

The meeting adjourned at 5:28 p.m. to closed session.

ATTEST:



NORRINE COYLE, City Clerk

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of June 4 and 12, and the regular meeting of June 18, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:

- a. Ord. No. 2346-C.S. repealing a portion of P-D(147) and rezoning to R-1 property located on the east side of Oakdale Road between E. Briggsmore Avenue and St. Paul's Way. (St. Paul's Episcopal Church)
- b. Ord. No. 2347-C.S. rezoning from P-D(309) to P-D(380) to allow construction of an office building at 717 16th Street. (Russ Evers)
- c. Ord. No. 2348-C.S. rezoning from R-1 to P-0 property located at the southwest corner of East Coolidge and Water Street. (Henry)

(Motion adopting needed.)

ACTION: By motion, ordinances approved.

(Clerk to handle)

HEARINGS

5. Hearing to consider appeal of Steinpress Development to a Planning Commission decision regarding a residential storage project on the south side of Pelandale east of Blue Bird Drive.

ACTION: Res. 85-403 adopted (Lang/Whiteside, unan.) denying appeal.

(Clerk to handle)

BIDS

CONSENT

6. Consider rejecting the sole bid received for furnishing one traffic signal controller, waiving formal bid procedures and authorizing the purchase of one traffic signal controller from Safetran Traffic Systems, Inc., for the total price of \$6,737.36.

(Memorandum with agenda. Resolution rejecting the sole bid received, waiving formal bid procedures and authorizing purchase of one traffic signal controller needed. Funds are budgeted.)

ACTION: Res. 85-404 adopted authorizing purchase.

(Finance to handle)

CONSENT

7. Consider award of contract for the resurfacing of pathways in Mancini Park and Westside Park.
(Bids were opened on June 18, 1985. The low bid of \$37,563, submitted by George Reed, Inc. is less than one percent above the Engineer's estimate and considered acceptable. It is recommended that the contract be awarded to George Reed, Inc. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost: \$37,563. Funds are budgeted.)

ACTION: Res. 85-405 adopted awarding contract. (Eng. to handle)

CONSENT

8. Consider award of contract for the Sipherd Park landscape and irrigation (Bids were opened on June 18, 1985. The low bid of \$94,068.34, submitted by Grover Landscaping, Inc. is 26.34% below the Engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Grover Landscaping, Inc. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 85-406 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider acceptance of Sierra Village Construction's contract for the Residential Alley Paving Program No. 11. Original Contract: \$74,937.00 (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$76,226.15. Funds are budgeted.)

ACTION: Res. 85-407 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider award of contract for the Dry Creek bike trail and water line. (Bids were opened on June 18, 1985. The low bid of \$86,900, submitted by George Reed, Inc. is 24.98% below the Engineer's estimate. It is recommended that the contract be awarded to George Reed, Inc. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-408 adopted awarding contract. (Eng. to handle)

CONSENT

11. Consider acceptance of B & L Builders, Inc.'s contract for the construction of American Legion Hall deck. Original contract: \$75,409.29. (All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$76,171.10 Funds are budgeted.)

ACTION: Res. 85-409 adopted accepting work as complete. (Clerk to handle)

12. Consider accepting contract for installation of traffic signals at Sylvan Avenue/Dragoon Park Drive; Standiford Avenue/Colonial Avenue; and Standiford Avenue/Conant Avenue as complete.
(Memo with agenda. The \$127,200 contract was awarded on 11/6/84. There was one Change Order increasing the cost by \$1,505. Required completion date was March 15, 1985. Signal operation commenced 4/25/85. It is recommended liquidated damages be assessed in the amount of \$3,600. Contractor will be appealing the assessment. Resolution accepting contract as complete needed. Estimated Cost: \$125,105. Funds are budgeted.)

ACTION: A motion to refer to staff for further information was withdrawn.
Res. 85-410 adopted (Muratore/Patterson, majority, Bright and Whiteside-no) accepting contract and assessing liquidated damages of \$3,000.
(Clerk/P.T. to handle)

WRITTEN COMMUNICATIONS

13. Letter from Patrick M. McGrath regarding the campaign finance reform proposal.
Mr. McGrath presented his views on the proposed campaign finance reporting proposal.

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

Daniel Marsh spoke about a committee concerned with racial problems on the west side of Modesto.

NEW BUSINESS

15. Consider request from the Children's Crisis Center to have amplified music at Tuolumne River Regional Park.
(Current City Council policy states that no amplification of musical instruments is permitted outdoors in parks unless in conjunction with a community wide celebration held on an annual basis. Memo with agenda. Staff recommends denial of request. Motion denying request needed.)

ACTION: By motion (Sutton/Patterson, unan.) request to have amplified music approved.
(P.R. to handle)

16. Set date for joint public hearing with Redevelopment Agency to consider proposed Disposition and Development Agreement with Civic Plaza Hotel Associates and Hammons and Robbins.
(Resolution setting joint hearing on July 16 at 4:00 p.m. needed.)
(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

No action taken

CONSENT

17. Consider executing an agreement for construction inspection services with Mr. Bob Mangum, a former Caltrans Resident Engineer, on the Units 2 and 3 wastewater treatment plant expansion project.
(The contractor is accelerating his work on the Chase Ranch. Additional inspection help is needed to adequately cover all of the work areas. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$9,999. Funds are budgeted.)

ACTION: Res. 85-411 adopted approving agreement. (Utility Serv. to handle)

CONSENT

18. Consider renewal of the agreement with Griffin Industrial Claims for workers' compensation claims administration for the period July 1, 1985, through June 30, 1986.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$6,000. Funds are budgeted.)

ACTION: Res. 85-412 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

19. Consider approving amendment to agreement with Debee Loyd Advertising.
(Memo with agenda. The amendment would extend our current agreement for transit advertising promotion through the 1985-86 fiscal year.
Resolution approving amendment to agreement needed. Estimated cost: \$30,000. Funds are budgeted.)

ACTION: Res. 85-413 adopted approving amendment to agreement. (P.T. to handle)

CONSENT

20. Consider amended agreements with Wilbur J. Elias & Associates to provide construction inspection services for the Pavement Marking Demonstration Program.
(Memo with agenda. Scope of work has increased greatly since the original agreement was approved on July 10, 1984. Caltrans, administrator of this federal grant, has recommended the amended agreement. Two resolution approving two agreements
needed. Estimated cost: \$20,000. Funds
are budgeted.)

ACTION: Res. 85-414 adopted approving agreement for installing raised pavement markers.
Res. 85-415 adopted approving agreement for installing thermoplastic pavement markings. (P.T. to handle)

CONSENT

21. Consider approval of a Resolution of Intention to Amend the Contract with the Public Employees Retirement System for a one-time 4% increase in retirement benefits for members who retired or died prior to January 1, 1981.
staff to proceed with documents needed.
(Memo with agenda. Motion directing / Estimated cost: \$37,867. Funds will be included in the 1985-86 budget adoption report.)

ACTION: By motion, staff directed to proceed. (Mgmt. Services to handle)

CONSENT

22. Consider excusing Mayor Mensinger from the June 4 and 11 meetings due to her visit to Sister City Vernon, B. C., and attendance at the annual U. S. Conference of Mayors convention.
(Motion excusing absences needed.)

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

CONSENT

23. Consider approval of the final map of Pelandale Heights Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Resource Development and Washington Savings and Loan Association.
(The subdivision agreement has been signed and all fees paid. Pelandale Heights is located south of Pelandale Avenue and west of Blue Bird Drive. It contains 19.839 acres. Resolution approving final map needed.)

ACTION: Res. 85-416 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider approving the grant agreement for Federal funding to reconstruct approximately four acres of pavement/taxiways with drainage in T-hangar area, approximately 2700 l.f. of terminal access road and a helicopter landing pad at the Modesto Airport.
(On April 9, 1985 the City Council, by resolution, authorized the staff to submit an application for a Federal grant for the above projects in the amount of \$323,760. The FAA has forwarded the grant for final City processing at this time. Memo with agenda. Resolution authorizing City Manager to accept the grant agreement on behalf of the City needed.)

ACTION: Res. 85-417 adopted accepting grant agreement. (Utility Serv. to handle)

CONSENT

25. Consider approval of LAFCO Questionnaire indicating no opposition to Jennings Road No. 2 Annexation.
(The City of Modesto is initiating a proposal to annex the City-owned portion of the treated wastewater ponding site. Recent legislation has removed the 300-acre limitation so the approximately 1,293 acres under City ownership can be annexed. This action will eliminate the City paying taxes on this land. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 85-418 adopted responding favorably to proposed annexation. (Planning to handle)

CONSENT

26. Consider amendment to agreement with Kennedy/Jenks for additional services on Water Quality Control Plant Expansion Project, Units 2 and 3. (Due to a staff resignation, and a new temporary Project Manager on the Units 2 and 3 Project, additional geotechnical support is required due to the contractor's accelerated schedule. Memo with agenda. Resolution authorizing City Manager to execute agreement needed. Estimated Cost: \$74,166.00. Funds are budgeted.)

ACTION: Res. 85-419 adopted authorizing City Manager to execute agreement. (Utility Services to handle)

CONSENT

27. Consider actions necessary to establish salaries for the 1985-86 fiscal year.

- a. Approval of Addendum and Amendment to the Memorandum of Understanding with the Modesto City Employees Association;
- b. Adoption of Salary Resolution for 1985-86 fiscal year.

(Memo with agenda. Three resolutions required.)

ACTION: Res. 85-420 adopted approving Addendum to Memorandum of Understanding.
Res. 85-421 adopted approving Amendment to the Memorandum of Understanding.
Res. 85-422 adopted adopting salary resolution for 1985-86. (Mgmt. Serv. to handle)

28. A resolution amending the Final Budget of the City of Modesto for the Fiscal Year 1984-85 to provide for the establishment of various reserve appropriations prior to closing the City's books for the fiscal year ending June 30, 1985.

(This is an annual adjustment of reserves to comply with Article XIII B of the State Constitution. Resolution authorizing establishment of reserves needed.)

ACTION: Res. 85-423 adopted (Patterson/Lang, unan.) authorizing establishment of reserves. (Finance to handle)

29. Consider adoption of the Fiscal Year 1985-86 Annual Budget (including the first year of the Four-Year Capital Improvement Program).
(Memo with agenda. Adoption of ordinance needed.)

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2349-C.S. adopted. (Clerk to handle)

MISCELLANEOUS

CONSENT

30. Legislation: Staff recommends:

Support

- a. AB 1209 (Vicencia), Schools for Traffic Violators: Fees

Oppose

- b. ACA 29 (Robinson) Restrictions on Municipal Financing

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

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

31. Appointments

None

32.

MATTERS TOO LATE FOR THE AGENDA

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

None

CLOSED SESSION

33. Closed session to consider an employee relations matter.

ADJOURNMENT

Meeting adjourned at 9:56 p.m. to closed session.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 2, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 14, 15, 16, 17, 18, 19, 20, 21(a), 21(c)

Dropped from agenda: 21(b)

ACTION: (Whiteside/Sutton, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Council Recognition - Tree City U.S.A. Designation.

Mayor Mensinger presented the trophy and flag to Mary Grogan, John Yoshida, Chuck Gilstrap, and Peter Cowles.

MINUTES

CONSENT

2. Approval of the minutes of the June 25, 1985, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider implementing Northeast Downtown traffic changes.
(Memo with agenda. The changes involve making portions of H, Downey, and Burney Streets one way.
(Resolution establishing one-way streets needed. Estimated cost: \$10,500; funds provided in 1985-86 budget.)
(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: Res. 85-424 adopted (Muratore/Lang, unan., Whiteside and Mayor Mensinger absent) establishing one-way streets. (P/T to handle)

HEARINGS

4. City Council and Redevelopment Agency joint hearing to consider Community Center disposition and development agreement.
(This hearing will not be held at this time because the leases and related documents were not available for public review.)

No action taken

BIDS

CONSENT

6. Consider rejecting bids received for annual large lamp requirements and authorize the purchase of large lamps from the California State Department of General Services for the contract period through April 28, 1986.
(Memorandum with agenda. Resolution rejecting bids and authorizing the purchase needed. Estimated cost: \$21,000 (City's portion); funds are budgeted.)

ACTION: Res. 85-425 adopted rejecting bids and authorizing purchase.
(Finance to handle)

CONSENT

7. Consider awarding contract to The Flintkote Company to install guardrail at three locations on Morton Boulevard.
(Memo with agenda. This is a 90% federally funded project. Only one bid was received, 22% below the estimate and considered acceptable. Resolution awarding contract to The Flintkote Company needed. Estimated cost: \$33,433.75; funds are budgeted.)

ACTION: Res. 85-426 adopted awarding contract. (Eng to handle)

CONSENT

8. Consider acceptance of House of Carpet's contract for the installation of carpeting at the Police Department. (Original contract and final cost: \$18,064.20)
(All work on this project has been completed to the satisfaction of the Engineering and Police Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-427 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

11. Consider recommendation that the candidates for election to the City of Modesto or Modesto City Schools District pay the cost of candidates statements printed in the Voters' Information Pamphlet.
(Memo with agenda. Resolution approving recommendation needed.)

ACTION: Res. 85-427A adopted (Muratore/Whiteside, majority, Patterson-no) determining that candidates would pay the cost of their statements in the ballot pamphlets.

12. Request by Modesto Board of Education for a change to the Modesto City Charter.
(The Modesto Board of Education has requested that an amendment to Section 1500 of the Modesto City Charter be submitted to the voters at the November 5, 1985, municipal election. The amendment would change the method of filling vacancies on the Board of Education. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Whiteside/Lang, unan.) staff directed to prepare documents to submit the measure to the voters. (Atty to handle)

CONSENT

14. Authorize City Manager to execute a service agreement with United States Escrow and execute a Direct Deposit authorization for transfer of HUD funds to the City through U.S. Escrow.
(Memo with agenda. The City is required to establish a service agreement with a financial institution in order to receive funds committed under the previously authorized Rental Rehabilitation Program. Resolution approving agreement needed.)

ACTION: Res. 85-428 adopted approving agreement. (Planning to handle)

CONSENT

15. Renewal of Workers' Compensation Excess Insurance.
(Memo with agenda. Resolution approving Excess Workers' Compensation Insurance coverage for fiscal year 1985-86 with General Reinsurance Corporation needed. Estimated cost: \$13,000; funds are budgeted.)

ACTION: Res. 85-429 adopted approving renewal of insurance.
(Mgmt Services to handle)

CONSENT

16. Renewal of property insurance for July 15, 1985, through July 14, 1986.
(Memo with agenda. Resolution approving renewal of Property Insurance for July 15, 1985 through July 14, 1986, with Improved Risk Mutual (Central Mutual) needed. Estimated cost: \$31,737; funds are budgeted.)

ACTION: Res. 85-430 adopted approving renewal of insurance.
(Mgmt Services to handle)

CONSENT

17. Consider approving lease agreement with Robert and Sally Shelton, dba Escort Limousine Service, for operation at the Modesto Airport.
(Escort Limousine Service would like to rent 48 square feet of counter space in the terminal and one parking space on the airport to operate a limousine service. They will pay \$80 per month for the counter space and \$25 per month for parking. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-431 adopted approving agreement. (Utility Serv to handle)

CONSENT

18. Consider approval of application for funds under the Senior Center Bond Act of 1984 for the renovation and expansion of the kitchen area and replacement of the auditorium floor at the Modesto Senior Citizens Center.
(Grant funding is available under the Senior Center Bond Act on a competitive basis. Since this project meets the criteria, staff recommends applying for \$136,461. A 15% local match is required on funded projects for which funds have been budgeted. Resolution authorizing filing of application needed. Estimated cost: \$20,470; funds are budgeted.)

ACTION: Res. 85-432 adopted authorizing filing of application.
(P/R to handle)

CONSENT

19. Consider authorizing a public auction to be held August 24, 1985, to sell lost and stolen unclaimed property, and consider authorizing the closure of the 200 block of Chestnut Street to traffic on August 24, 1985. (Memorandum with agenda. Resolution authorizing a public auction on August 24, 1985 needed, and resolution authorizing the closure of the 200 block of Chestnut Street on August 24, 1985 needed.)

ACTION: Res. 85-433 adopted authorizing public auction.
Res. 85-434 adopted authorizing closure of Chestnut Street.
(Finance to handle)

CONSENT

20. Consider approval of the final map of Orchard Park No. 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: Saratoga Savings and Loan Association) (The subdivision agreement has been signed and all fees paid. Orchard Park No. 1 is located south of Floyd Avenue, east of Oakdale Road. It contains 3.357 acres. Resolution approving final map needed.)

ACTION: Res. 85-435 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends:

Support

- a. AB 27 (W. Brown) - Mandatory Seatbelt Use
- b. AB 1931 (Elder) - PERS Miscellaneous Employee Two-Tier Retirement Option

Dropped from agenda.

Oppose

- c. AB 1279 (Papan) - Billboard Relocation Bill

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

ACTION: By motion, recommendations concerning items a and c approved.
(Mgmt Services to handle)

22. Appointments

None

23.

MATTERS TOO LATE FOR THE AGENDA

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

None

The meeting adjourned at 4:28 p.m. to the Redevelopment Agency meeting and reconvened at 6:37 p.m.

24.

CLOSED SESSION

(Closed session to consider an employee relations matter.)

The meeting adjourned at 6:04 p.m. to closed session and reconvened at 6:37 p.m.

ACTION: Res. 85-436 adopted (Whiteside/Muratore, unan.) approving Memo of Understanding with Fire Fighters.

Res. 85-437 adopted (Whiteside/Muratore, unan.) amending salary resolution.

ADJOURNMENT

The meeting adjourned at 6:43 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 9, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Mel Turner, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25

ACTION: (Whiteside/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the July 2, 1985, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider Standiford Avenue No. 4 Governmental Reorganization.

ACTION: Res. 85-438 adopted (Lang/Sutton, unan.) annexing. (Clerk to handle)

4. Hearing to consider reversion to acreage of the Kansas Business Park subdivision, a commercial/industrial condominium project, property located at the northwest corner of Kansas Avenue and Lone Palm Avenue. Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 85-439 adopted (Whiteside/.Muratore, unan., Sutton absent) converting to acreage. (Planning to handle)

5. Hearing to consider a proposed fare increase, service reductions, and route modifications for Intracity Transit.

ACTION: Res. 85-440 adopted (Muratore/Sutton, unan.) increasing fares.

By motion (same vote) changes in service and routes approved.
(P/T to handle)

6. Hearing to consider an amendment to P-D(147) to allow a private elementary school, property located at the northeast corner of Oakdale Road and St. Paul's Way. (St. Paul's Episcopal Church)

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2350-C.S. introduced.
Res. 85-441 adopted (same vote) revising conditions and schedule.
(Clerk to handle)

7. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to repeal P-D(246) and rezone to C-1, property located at 512 - 516 14th Street. (Planning Commission initiated)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2351-C.S. introduced.
(Clerk to handle)

8. Hearing to consider an amendment to Section 17-3-9 of the Zoning Map to repeal P-D(250) and rezone to R-1, property located on the east side of Sherwood Avenue south of Bowen Avenue. (Planning Commission initiated)

ACTION: By motion (Bright/Sutton, unan.) Ord. No. 2352-C.S. introduced.
(Clerk to handle)

9. Hearing to consider an amendment to Section 16-3-9 of the Zoning Map to repeal P-D(171) and rezone to R-1, property located on the south side of Norwegian Avenue, east of Sunrise Avenue. (Planning Commission initiated)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2353-C.S. introduced.
(Clerk to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for residential alley paving program - Project No. 12. (Suggested bid opening: July 30, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$110,000 (contract \$100,000; engineering & cont. \$10,000); funds are budgeted.)

ACTION: Res. 85-442 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider awarding contract to Safety Striping Service, Inc. to install raised pavement markers on 26 City streets. (Memo with agenda. This is a 90% to 100% federally funded project to replace existing painted stripes with raised pavement markers. Safety Striping Service, Inc. was the lowest of seven bidders at \$85,100, which is 7% under the estimate. Resolution awarding contract to Safety Striping Service, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-443 adopted awarding contract. (P/T to handle)

CONSENT

12. Consider awarding contract to install thermoplastic pavement markings to Riley's Striping. (Memo with agenda. This is a 90% to 100% federally funded project to replace painted pavement markings with maintenance-free thermoplastic. Riley was lowest of six bidders at \$162,100, which is 3% over the estimate. Resolution awarding contract to Riley's Striping needed. Funds are budgeted.)

ACTION: Res. 85-444 adopted awarding contract. (P/T to handle)

CONSENT

13. Consider acceptance of Osterberg & Stewart's contract for the drilling of Well No. 47. (Original contract: \$20,901.21) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$22,395.20; funds are budgeted.)

ACTION: Res. 85-445 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of Joe Martin Pipeline's contract for the American Legion Hall sewer. (Original contract: \$12,140)
(All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$11,816.50; funds are budgeted.)

ACTION: Res. 85-446 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Flintkote's contract for the reconstruction of Elm Avenue from Arrowhead to Emerald. (Original contract: \$71,936)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$124,195; funds are budgeted.)

ACTION: Res. 85-447 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

16. Request of John B. Allard, Superintendent, Stanislaus County Department of Education, to consolidate the school district election with the General Municipal Election on Tuesday, November 5, 1985.
(Resolution granting consent for the consolidation of the elections needed.)

ACTION: Res. 85-448 adopted granting consent. (Clerk to handle)

CONSENT

17. Request of Downtown Improvement District to use sidewalks for a Downtown Sidewalk Sale on July 17, 18, 19 and 20, 1985.
(Motion approving request needed.)

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

18. **MATTERS FOR THE GOOD OF THE COMMUNITY**

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

Lee DeLano asked for permission to have amplified music at the Tuolumne River Regional Park for Davis High School reunion.

ACTION: By motion (Lang/Sutton, unan.) request approved.

Bob Oliver sent a letter and several people spoke regarding the community center.

NEW BUSINESS

19. Set hearing to consider approval of Report by Superintendent of Streets on the costs of residential alley resurfacing - Project No. 11. (The information attached shows the project locations listed by Lot and Block Number. The dollar amounts listed reflect the contract costs for the placement of asphalt and the raising of sewerage facilities. The grading of the alleys was paid for by the City. Resolution setting hearing for 7:30 p.m., August 13, 1985 needed. (Councilmember Sutton will be excused due to a conflict of interest.)

BLOCK 817

COLUMBIA-MILLS/VALERIE-CARLA

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
David L. Blickenstaff, Sr.	8	\$567.51
Earl O. Winn	7	521.33
Wray F. Ladine	6	521.33
John C. Corbin	5	567.33
Margaret L. Adams	1	567.33
Kenneth L. Marrs	Por.	521.33
Robert W. Larson	Por.	429.33
Anthony Smykal, Jr.	Por.	452.33
Judith L. Jenkins	Por.	406.51

BLOCK 818

COLUMBIA-MILLS/HELMS-VALERIE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Eleanor M. Haines	Por.	\$605.96
Andrew C. Ferrier	Por.	468.24
Peter R. Brush	7	514.24
Michael W. Boyarsky	6	398.87
Emma Denney	5	399.24
Jesse E. Eager	1	399.24
Paul J. Corrigan	Por.	514.24
Lula M. Johnson	Por.	417.64
Walter F. Lab	Por.	421.96
Martin E. Mitchel	Por.	413.04

BLOCK 842**ROSEBURG-CECIL/NOTRE DAME-AMHERST**

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Gene E. Flora	Por.	\$748.00
Richard D. Nott	14	247.50
Frank J. and Rosemarie Catizone	13	654.12
Margaret Sanders	12	385.06
John C. and Donna L. Sutton	11	411.40
Roland T. C. Loeffler	10	411.40
Gilbert L. Nessier	9	438.02
Rex Burris	Por.	561.00
Joseph S. Franzia	Por.	687.50
George M. Olsen	Por.	550.00
Donald S. Eastin	Por.	462.00
Ronald W. Posey	Por.	462.00
John R. Ertel	Por.	573.43

BLOCK 1172**COOLIDGE-E. ORANGEBURG/PAULETTE-QUEENS**

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert F. and Dana L. McManus	4	\$345.09
Edwin F. Fontes	3	340.40
Richard Silveira	2	340.40
C. F. Brown	1	351.12
George E. Ewell	18	374.12
Roy Beavers	17	335.80
Donald Andrew and Velet R. Gowans	16	335.80
Mary L. Troyer	15	331.29

BLOCK 1174**COOLIDGE-E. ORANGEBURG/LORRY-MORENE**

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Wilburn V. Weeks	15	\$340.58
Lyle I. Iverson	16	340.40
Pamela Vlach	17	340.40
Raymond A. Moser	18	355.63
Bonnie Mihelis	1	351.21
Merilyn A. Cathcart	2	340.40
Elzil L. Hall	3	340.40
Susie M. Hensley	4	345.00

BLOCK 1205, 1208**BRIGGSMORE-COOLIDGE/PAULETTE-QUEENS**

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Bill Pritchett	1	\$ 69.00
Jimmy R. Johnson	2	529.00
Frank D. Lund	3	359.90
Sharon Gabere1	3	359.77
Glenn L. Jackson	2	529.00
Sherril W. Shelton	1	69.00
Elba E. Jones	8	350.84
James L. Hyson, Jr.	9	342.70
Virginia Skordoulis	10	342.70
George L. Berg	11	347.39
George C. Pettygrove	4	342.84
Ralph C. Bowland	5	342.70
Paul M. Rykert	6	342.70
Paul E. Fulfer	7	355.35

BLOCK 2089**ROBLE-HADDON/COVENA-ROWLAND**

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert H. Dorn	1	\$275.31
Birchard G. Seaman	2	276.00
O. S. Asbill	3	276.00
Edward J. Vargas	4	276.00
John Neptune	5	276.00
Mary A. Baskin	6	276.00
Richard D. Ciccarelli	7	276.00
Gwendollyn Lucille Anderson	8	276.00
Ernest M. Azevedo	9	276.00
Carl W. Lairson	10	276.00
Marjorie Doehne	Por.	230.00
Darleen M. Beard	Por.	598.00
Thomas J. Torvend	14	276.00
Mary E. Bolles	15	276.00
Jay H. Jackson	16	276.00
Kenneth H. Breckenridge	17	276.00
Oliver L. Huntley	18	276.00
Charles C. Clock	19	276.00
Anthony Grosso	20	276.00
Loretta De Young	21	276.00
Frances Woodworth	22	276.00
Robert L. Rice	23	276.00
E. L. Floyd	24	276.00
Theresa Lila Brigden	25	276.00
Marion Peters	26	275.49

BLOCK 6030

COLLEGE-COMO PARK/ULRICH-OBERLIN

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Andrea E. McGhee	1	\$318.60
Karen Katz	2	287.50
Gerald E. Grover	3	276.00
Donald L. Scanlon	4	276.00
Gwen S. McKinnon	5	276.00
Antone M. Coelho	6	287.50
Harman E. Schteiden	7	279.40
Roy L. Ridgway	8	319.56
Robert Leroy Head	9	276.00
Geretha M. McNeilly	10	345.00
Gilbert M. Sakima	11	441.88
Violet G. Boland	Por.	529.00

BLOCK 6112

GLENWOOD-PEARL/DEL VALE-KEARNEY

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Donald A. Wells	28	\$230.00
Ora E. Rubke	27	230.00
Dorthea L. Blaylock	26	230.00
Bonner J. Fisher	25	230.00
Leo F. Nowak	24	230.00
Dorothea L. Blaylock	23	230.00
Franklin Miller	22	230.00
William A. Duncan	21	230.00
Stella G. Davis	20	230.00
James F. Snook	19	230.00
Ruth Ann Hare	18	230.00
Basilio Quinonez	17	230.00
Randy R. Joseph	16	230.00
C. E. Yarbrough	15	230.00
Cecil Wagner	14	230.00
William R. Wright	13	230.00
Joseph Lovalvo	12	230.00
Wilma M. Miller	11	230.00
Lloyd Breshears	10	230.00
Janice G. Chacon	9	230.00
Luceal V. Reynolds	8	230.00
Charles R. Parkay	7	230.00
John J. Tennis	6	230.00
Laney D. Valek	5	230.00
Dale G. Sargent	4	230.00
Vernon F. White	3	230.00
Anthony J. Canizzaro	2	230.00
Cecile E. Thompson	1	230.00

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Barbara Burns Inmon	24	\$556.93
Patricia L. Leslie	25	598.33
Laurence E. Grandt	26	321.32
Edmund M. Robinson	27	304.94
Rose A. Chladek	28	303.93
Orlena K. Hawkins	29	322.33
Lynn W. Jamison	30	501.73
Alta M. Countryman	31	170.53
William A. Scheuber	13	271.73
Roy N. Lipanovich, Jr.	12	271.73
Ray L. Thompson	11	271.73
R. G. Weber	10	271.73
Timothy A. Lawrence	9	119.33
Robert Diehl	23	556.93

BLOCK 12950

SUNRISE/HAMPSHIRE-FLOYD

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Lloyd Hughes	1	\$588.07
Richard L. Skidmore	2	472.98
Jerry S. Applegate	3	472.98
Everett Graham	Por.	472.98
John Bell, III	4	495.98
Anthony R. Sciabica	5	473.95
Charles L. Delhart	6	481.67
Keith N. Decker	7	340.78
Robert D. Claflin	8	355.31
John F. Tomas	9	794.98
Gene E. Ford	10	572.57
Marilyn Dias	11	472.98
Marjorie C. Vent	12	472.47
James H. Wilson	Por.	679.98

ACTION: Res. 85-449 adopted (Whiteside/Patterson, unan., Sutton absent)
setting hearing. (Clerk to handle)

19a. Staff report on timing of Community Center disposition and development agreement negotiations.
(Staff will make an oral report and recommend any necessary actions.)
Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.

ACTION: Res. 85-450 adopted (Lang/Sutton, majority, Whiteside and Mayor
Mensinger absent, Patterson-no) setting hearing on July 30, 1985, at
7:30 p.m. (Clerk to handle)

CONSENT

20. Consider submitting a Charter Amendment to the voters, as requested by the Modesto Board of Education, to amend Section 1500 of the City Charter regarding the method of filling vacancies on the Board of Education. (At last week's meeting the Council directed staff to prepare the necessary document to submit this proposed Charter Amendment to the voters at the November 5, 1985 Regular Municipal Election. Resolution submitting Charter Amendment to the voters is needed.)

ACTION: Res. 85-451 adopted submitting Charter Amendment to the voters.
(Clerk to handle)

CONSENT

21. Consider directing City Clerk to submit a copy of the proposed Charter Amendment to amend Section 1500 of the City Charter regarding the method of filling vacancies on the Board of Education, proposed for the November 5, 1985 ballot, to the City Attorney for preparation of an impartial analysis of the amendment. (Memo with agenda. Resolution transmitting a copy of the proposed Charter Amendment to the City Attorney for impartial analysis needed.)

ACTION: Res. 85-452 adopted transmitting copy of proposed Charter Amendment to the City Attorney.
(Clerk to handle)

CONSENT

22. Introduce an ordinance amending Title XII of the Municipal Code by adding Landscaping and Irrigation Standards and an ordinance amending Title VII by adding Street Dedication and Improvement Provisions. (As part of OMNI 8 review these two provisions were shifted from Title X, Planning and Zoning, to other titles of the Municipal Code. Two motions introducing two ordinances needed.)

ACTION: By motion, Ord. No. 2354-C.S. introduced adding Article 7 to Chapter 1 of Title VII relating to street dedication and improvement.
By motion, Ord. No. 2355-C.S. introduced adding Chapter 1 to Title XII entitled "Landscaping and Irrigation Standards".
(Clerk to handle)

CONSENT

23. Introduce an Ordinance amending Title X of the Modesto Municipal Code relating to Planning and Zoning (OMNI 8) (Memo with agenda. As a result of two hearings this spring, the City Council approved OMNI 8. "Proof" copies were circulated on June 20, 1985, to interested parties, with only minor word changes resulting. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2356-C.S. introduced. (Clerk to handle)

CONSENT

24. Consider approval of the final map of Shadow Glen East Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdividers: Arlo F. Hilkey and Marvene L. Hilkey, and Transworld Financial Corp., Inc..
(The subdivision agreement has been signed and all fees paid. Shadow Glen East is located South of Floyd Avenue and East of Oakdale Road. It contains 14.12 acres, more or less. Resolution approving final map needed.)

ACTION: Res. 85-453 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

Support and seek amendment: SB 300 (Foran), Transportation Finance.

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

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

26. Appointments

None

- 27.

MATTERS TOO LATE FOR THE AGENDA


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

Modesto Municipal Sewer Improvement District No. 1 - Bond Principal and Interest Payment.

ACTION: Res. 85-454 adopted (Sutton/Muratore, unan.) certifying to the Board of Supervisors the amount to be raised for the payment of the interest on the bonds. (Finance to handle)

ADJOURNMENT

The meeting adjourned at 10:10 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 16, 1985, AT 4:00 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 11, 12,
Removed from consent: 18 13, 14, 15, 16, 17, 19

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the July 9, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2350-C.S., amending P-D(147) to allow a private elementary school at Oakdale Road and St. Paul's Way. (St. Paul's Episcopal Church)
- b. Ord. No. 2351-C.S., amending Section Map 28-3-9 of the Zoning Map to repeal P-D(246) and rezone to C-1, property located at 512-516 14th Street on the northeast side of 14th Street between E and F Streets. (Fleeta Raines)
- c. Ord. No. 2352-C.S., amending Section Map 17-3-9 of the Zoning Map to repeal P-D(250) and rezone to R-1, property located on the east side of Sherwood Avenue south of Bowen Avenue. (Commission initiated)
- d. Ord. No. 2353-C.S., amending Section Map 16-3-9 of the Zoning Map to repeal P-D(171) and rezone to R-1, property located on the south side of Norwegian Avenue east of Sunrise Avenue. (Commission initiated)
- e. Ord. No. 2354-C.S., adding Article 7 to Chapter 1 of Title VII of the Modesto Municipal Code relating to street dedication and improvement.
- f. Ord. No. 2355-C.S., adding Chapter 1 entitled "Landscaping and Irrigation Standards" to Title XII of the Modesto Municipal Code.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the remodeling of City Clerk's office.
(Suggested bid opening: August 6, 1985 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$6,900 (contract \$6,100; engineering & cont. \$800); funds are budgeted.)

ACTION: Res. 85-455 adopted calling for bids.

(Eng. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of metal storage building at Water Quality Control Plant. (Suggested bid opening: August 6, 1985 at 11:05 a.m. Resolution approving plans and specifications and call for bids. Estimated cost: \$52,712 (contract \$47,920; engineering & cont. \$4,792); funds are budgeted.)

ACTION: Res. 85-456 adopted calling for bids. (Eng. to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened August 6, 1985, at 3:10 p.m. for furnishing one copy machine. (Requested by Engineering Services, the copier will be located on the second floor of City Hall and serve as an all-purpose copier. The copier will not replace any similar equipment. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,700; funds are budgeted.)

ACTION: Res. 85-457 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for waterline replacement in City of Modesto Block 336. (Suggested bid opening: July 30, 1985 at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,164 (contract \$19,240; engineering & cont. \$4,924); funds are budgeted.)

ACTION: Res. 85-458 adopted calling for bids. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

8. Resignation of Margaret Rush from the Farm-City Committee. (Resolution accepting resignation with regret needed.)

ACTION: Res. 85-459 adopted accepting resignation. (Clerk to handle)

9.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Ann Miller spoke about public transportation in Modesto.

NEW BUSINESS

10. Consider appeal by Candelaria Ortiz Diaz on the denial of an application for an encroachment permit at 1814 Max Court.
(Memo with agenda. Resolution denying the appeal needed.)

ACTION: Res. 85-460 adopted (Sutton/Muratore, unan., Patterson absent) denying appeal. By motion (same vote) staff directed to inform the appellant of the procedure for applying to the Board of Zoning Adjustment for a variance.(Eng. to handle)

CONSENT

11. Consider approving lease agreement with Ken R. Chapman, Gary M. Costa, Larry Moss, and Craig Bressman for the lease of 2955 Lincoln Avenue.
(Dry Creek Park)
(This is a month-to-month agreement with the tenants paying \$500 per month. They will also paint and clean the house for one month's free rent. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-461 adopted approving agreement. (Utility Services to handle)

CONSENT

12. Consider approving lease agreement with Raymond L. and Ruby C. Marsh for the lease of the City-owned house at 1004 Thrasher. (Airport Neighborhood Park)
(This is a two-year renewal of an existing lease. Rent is increased from \$410 per month to \$430.50 per month on July 1, 1985 and to \$452.03 per month on July 1, 1986. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 85-462 adopted approving agreement. (Utility Services to handle)

CONSENT

13. Consider approving agreement with Alan M. and Nancy J. Bancroft for the purchase of 1000+ square feet of their property needed to install sidewalks on E. Orangeburg Avenue, west of Claus Road.
(The Bancrofts have agreed to sell the required right of way for the appraised value of \$2,600. This is one of several parcels being acquired in different areas of the City to complete sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 85-463 adopted approving agreement. (Utility Services to handle)

CONSENT

14. Consider new agreement for operation of Parking Lot 30, 12th between J and K Streets, and increased parking fees for Lot 30.
(Memo with agenda. A new, two-year agreement beginning August 1, 1985 has been worked out with the owner. The owner wishes to increase the fee from 10¢ per hour to 20¢ per hour and month passes from \$20 per month to \$25 per month to cover increased maintenance costs. Resolution approving agreement needed, and resolution changing the parking fees needed. Estimated cost: \$320 labor; \$480 parts); funds are budgeted.)

ACTION: Res. 85-464 adopted approving agreement.
Res. 85-465 adopted changing parking fees. (P/T to handle)

CONSENT

15. Consider acceptance of Federal Land and Water Conservation Fund Grant for the installation of field lighting at the Fairway Soccerfield located south of the John Thurman Baseball Field.
(The National Park Service has approved the City's grant application under the Federal Land and Water Conservation Fund Program. To receive these funds the City Council must accept the grant. Memo with agenda. Resolution accepting grant needed. Estimated cost: \$186,450; funds are budgeted.)

ACTION: Res. 85-466 adopted accepting grant. (P/R to handle)

CONSENT

- 16, Request for refund of \$521.36 overpayment of Business Improvement Area Tax - E. F. Hutton and Company.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-467 adopted approving refund. (Finance to handle)

CONSENT

17. Request for refund of \$735.28 overpayment of Business Improvement Area Tax - Central Valley Chrysler Plymouth.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-468 adopted approving refund. (Finance to handle)

18. Authorize City Council Solid Waste Committee Members (Councilmembers Lang and Muratore) and staff to visit waste-to-energy plants in Florida and Tennessee on August 5-9 to study alternatives to landfilling of the County's solid waste.
(Memo with agenda. Motion authorizing trip needed, and resolution approving appropriation transfer needed. Estimated cost: \$7,000.)

ACTION: By motion (Whiteside/Sutton, unan., Patterson absent) trip authorized.
Res. 85-469 adopted (same vote) approving appropriation transfer.
(Mgmt. Serv. to handle)

MISCELLANEOUS

CONSENT

19. Legislation: Staff recommends:

Neutral

- a. AB 1551 (Bradley) - County Surcharge on City Parking Fines and Forfeitures

Support

- b. H.R. 1435 (Hughes) - Mandatory Retirement/Age Discrimination

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

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

20. Appointments

None

21.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 4:37 p.m.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, July 23, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Paul Kendell, Modesto Church of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18, 19, 20, 22

ACTION: (Muratore/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger displayed items from visitors from Holland and Mexico. Vice Mayor Patterson mentioned a visit by City Councilmembers from a city in Japan.

MINUTES

CONSENT

2. Approval of the minutes of the July 9, 1985, regular City Council meeting. (Motion approving needed)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2356-C.S., amending Title X of the Modesto Municipal Code relating to Planning and Zoning.
(Motion adopting needed)

ACTION: By motion, Ord. No. 2356-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider objections or protests to requirements to construct alley improvements at the following locations:

Block 548 Magnolia-Elmwood/Alice-Wright

Block 1175 Kent-Lorry/E. Coolidge - E. Orangeburg (North/South leg only)

Block 2088 Rowland-Covena/Haddon-Miller

Block 6017 Kearny-Del Rey/W. Roseburg - Cherrywood

Block 6118 Stetson-Albany/Pearl - W. Granger

Block 6804 Briggsmore - La Villa Rose/Sherwood - Enslin (East/West leg only)

Block 6806 La Villa Rose Ct.-Sherwood/La Villa Rose Ct. - La Villa Rose Ct.

Block 12308 Prince Valliant-Nottingham/E.Rumble - Robinhood

Block 12313 (to East/West leg of Block 12312)

Block 12314 E. Rumble-King Richard/Edward-West to "T"

Block 12315 E. Rumble-King Richard/Edward-Sherwood School

Block 12319 Little John-Robin Hood/Yorkshire-Tuxford

Block 12323 Durham-Harrow/Bridgeford-East to "T"

Block 12325

(Resolution ordering the work of alley paving needed.)

ACTION: Res. 85-470 adopted (Lang/Sutton, unan.) ordering the work. (Eng. to handle)

5. Hearing on appeal of David and Linda Grant and Kent Newswander and the appeal of Mid-Valley Engineering on behalf of Les Busick to a Planning Commission decision concerning the extent of access closure to Springcreek Drive as part of Planned Development Zone, P-D(218) plan review.

ACTION: Res. 85-471 adopted (Patterson/Lang, unan.) granting the appeal of David and Linda Grant and Kent Newswander, and denying the appeal of Les Busick.
(Planning to handle)

6. Hearing to consider rezoning a portion of Planned Development Zone P-D(218) to Medium Density Residential Zone, R-2, property located northwest of Cedar Creek Court, north of Scenic Drive, west of Claus Road. (Leslie Busick)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2357-C.S. introduced rezoning. Res. 85-472 adopted certifying review of Environmental Assessment. (Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the water line extension on Marsala Avenue. (Suggested Bid Opening: August 13, 1985 at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$25,287 (\$21,170 Contract; \$4,117 Eng. & Cont.) Funds are budgeted.)

ACTION: Res. 85-473 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the installation of landscaping and irrigation of Airport General Aviation Vehicle Parking Lot. (Suggested Bid Opening: August 13, 1985 at 11:05 a.m. This work will consist of the installation of sprinkler heads and landscaping around the general aviation vehicle parking lot. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$7,200 (\$6,500 Contract; \$700 Eng. & Cont.) Funds are budgeted.)

ACTION: Res. 85-474 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider approving specifications and authorize the call for bids to be opened August 6, 1985, at 3:00 p.m., for furnishing one (1) Digitizer Tablet. (Requested by Engineering Services, the Digitizer is needed to enter existing maps and drawings into the CADD System, which is a computer aided design drafting system. Resolution approving specifications and authorizing calls for bids needed. Estimated Cost: \$8,000. Funds are budgeted.)

ACTION: Res. 85-475 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider declaring Pac Power low bidder meeting City Specifications, and authorize the purchase of one manlift aerial platform truck for the total amount of \$44,782.

(Memorandum with agenda. Resolution authorizing purchase of manlift aerial platform truck from Pac Power needed. Funds are budgeted.)

ACTION: Res. 85-476 adopted authorizing purchase. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

12. Mayor Mensinger and Councilmember Whiteside excused due to potential conflicts of interest.

Mr. Oliver spoke about the disposition and development agreement.

Mr. Sabatino spoke about the bills from the attorney for the Redevelopment Agency.

NEW BUSINESS

CONSENT

13. Consider approving amendment to agreement with Esco Aviation for their lease at the Airport.

(The purpose of this amendment is to add a portion of Hangar #1 to Esco's lease. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-477 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

14. Consider approval of an Agreement for Services with the Housing Authority of the County of Stanislaus.

(Memo with agenda. The Housing Authority will provide the services of two Housing Advisors to support the implementation of CDBG-funded activities through the Housing Program Office. A resolution authorizing the City Manager to execute an Agreement for Services needed. Estimated Cost: \$54,894.00. Funds are budgeted.)

ACTION: Res. 85-478 adopted approving agreement. (Planning to handle)

CONSENT

15. Consider approval of application for services under the California Conservation Corp program.

(The California Conservation Corp has available a program that provides services to municipalities. The City has listed potential projects that can be performed by CCC crews. Memo with agenda. Resolution authorizing filing of application needed. Estimated Cost: \$18,111.)

ACTION: Res. 85-479 adopted authorizing filing of application. (P.R. to handle)

CONSENT

16. Consider approval of City's application for nomination of the League of California Cities "Helen Putnam Award of Excellence"
(Staff recommends approval of the McHenry Mansion Restoration project as the City's nomination for the League's "Excellence" Award. Memo with agenda. Motion authorizing filing of application needed.)

ACTION: By motion, filing of application authorized. (P.R. to handle)

CONSENT

17. Consider approving amendment to lease agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer for the lease of a portion of Hangar #1.
(The purpose of this amendment is to lease more space in Hangar #1 to the Askews and Mesenhimers. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-480 adopted approving amendment to agreement. (Utility Serv. to handle)

CONSENT

18. Consider approving agreement with Claudia Hagen and Diane Dilday, dba Balloons Over the Valley, to conduct a hot air balloon event at the Modesto Airport on September 21 and 22, 1985.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-481 adopted approving agreement. (Utility Services to handle)

CONSENT

19. Consider approving lease agreement with FMC Corporation to lease 623+ s.f. of City property at the Kansas/Ninth Street intersection, consider authorizing staff to issue an encroachment permit 1030' south of Coldwell on 9th Street and consider giving permission to drill five monitoring wells on the above two sites and on FMC's property.
(Memo with agenda. Resolution approving agreement, resolution authorizing staff to issue an encroachment permit, and a resolution permitting the drilling of five monitoring wells needed.)

ACTION: Res. 85-482 adopted approving agreement.
Res. 85-483 adopted authorizing issuance of encroachment permit.
Res. 85-484 adopted permitting drilling of five wells. (Utility Services to handle)

CONSENT

20. Consider a request by Doctor's Hospital for a refund of overpaid Gross Receipts Tax.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-485 adopted approving refund of \$130,208. (Finance to handle)

21. Staff presentation on proposed Disposition and Development Agreement. (Because the official hearing on the proposed agreement is set for July 30, 1985, this item is limited to staff presentation and Council questions only. Public testimony or comments will be received at the hearing on the 30th.)
Mayor Mensinger and Councilmember Whiteside excused due to potential conflicts of interest.
No action taken.

MISCELLANEOUS

CONSENT

22. Legislation: Staff recommends:

Support

a. AB 296 (Tanner), Compilation and Publication of Laws Pertaining to Hazardous Substances

b. AB 1547 (O'Connell), Emergency Response Costs

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

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

23. Appointments

None

Matters too late for the agenda

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

- 24.

None

- 25.

ADJOURNMENT

Meeting adjourned at 10:55 p.m. to July 30, 1985, 7:30 p.m. in the City Council Chambers.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 30, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.

HEARING

1. Joint public hearing with the Redevelopment Agency of the City of Modesto on a disposition and development agreement and lease agreements between the Redevelopment Agency of the City of Modesto and Civic Plaza Hotel Associates and Hammons & Robbins.
(At the conclusion of the hearing the Redevelopment Agency and the City Council will consider approving the agreements and related documents taking other appropriate actions to implement the agreements.)

ACTION: Res. 85-486 adopted (Sutton/Muratore, majority, Patterson-no, Whiteside, Mayor Mensinger absent) approving agreement. (Clerk to handle)

Res. 85-487 adopted (Lang/Bright, majority, Patterson-no, Whiteside, Mayor Mensinger absent) approving lease agreement with the Civic Plaza Hotel Associates. (Clerk to handle)

Res. 85-488 adopted (Sutton/Bright, majority, Patterson-no, Whiteside, Mayor Mensinger absent) approving lease agreement with Hammons and Robbins. (Clerk to handle)

By motion (Lang/Muratore, majority, Patterson-no, Whiteside, Mensinger absent) staff directed to implement financing plan for the public facilities. (Finance to handle)

ADJOURNMENT

The meeting adjourned at 10:55 p.m. to 10:00 a.m., July 21, 1985, in the City Hall Third Floor Conference Room.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
July 31, 1985

The Council of the City of Modesto met pursuant to adjournment at 10:00 a.m. in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California.

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

Absent: Councilmember Patterson

The Councilmembers met with Assemblyman Gary Condit to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 11:15 a.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 6, 1985, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Patterson, Sutton, Whiteside,
Mayor Mensinger

Absent: Councilmembers Lang, Muratore
Vice Mayor Patterson arrived at 4:05 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 12, 13,
14, 18, 19, 20, 21, 22, 23

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

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of plaque to John de Boer for serving on the Farm-City Advisory Committee.

The Mayor presented a plaque to John deBoer in honor of his 20 years of service.

MINUTES

CONSENT

2. Approval of the minutes of the July 23, 1985, regular City Council meeting, and the adjourned regular meetings of July 30, 1985, and July 31, 1985.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2357-C.S. rezoning a portion of P-D(218) to R-2, property located north of Cedar Creek Court west of Claus Road. (Leslie Busick)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2357-C.S. approved.

(Clerk to handle)

HEARINGS

4. Hearing to consider amendment to Section 11-3-8 of the Zoning Map to rezone from a portion of P-D(166) to P-D(381) for a two-story motel, a restaurant, and a gas station/convenience market property located on the north corner of Sisk Road and Vintage Drive. (Trans-World Financial Corp., Inc.)

ACTION: By motion (Bright/Whiteside, unan.; Lang, Muratore absent)
Ord. 2358-C.S. introduced.

Res. 85-489 adopted (same vote) approving plan.

Res. 85-490 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Hearing to consider amendment to Section 28-3-9 of the the Zoning Map to repeal P-D(239) and rezone to R-3 property located at the east corner of 16th Street and G Street. (E. G. Development)

ACTION: By motion (Sutton/Whiteside, unan.; Lang, Muratore absent)
Ord. 2359-C.S. introduced. (Clerk to handle)

6. Hearing to consider amendment to Section 31-3-9 of the Zoning Map to repeal P-D(210) and rezone to R-1 property located on the north side of Vine Street west of Franklin Street. (Scott Wallace/STD Development)

ACTION: By motion (Whiteside/Sutton, unan.; Lang, Muratore absent)
Ord. 2360-C.S. introduced. (Clerk to handle)

7. Hearing to consider amendment to Section 23-3-9 of the Zoning Map to repeal P-D(313) and rezone to R-1, property located on the north side of East Orangeburg Avenue, east of Oakdale Road. (Community Pacific Broadcasting)

ACTION: By motion (Sutton/Whiteside, unan.; Lang, Muratore absent)
Ord. 2361-C.S. introduced. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for street light modernization - 9th Street from "B" to "P" Streets. (Suggested bid opening: August 27, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$194,000 (contract \$180,000; engineering \$14,000); funds are budgeted.)

ACTION: Res. 85-491 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened August 27, 1985, at 3:00 p.m. for furnishing one I.B.M. personal computer and related software. (Memo with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,500; funds are budgeted.)

ACTION: Res. 85-492 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider award of contract for the residential alley paving program - Project No. 12. (Bids were opened July 30, 1985. The low bid of \$97,666, submitted by George Reed, Inc., is 2.33% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. It is recommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-493 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the water line replacement in Block 336. (Bids were opened on July 30, 1985. The low bid of \$25,200, submitted by Bond Construction, is the sole bid received and is 30.98% above the engineer's estimate. It is considered acceptable, and staff, therefore, recommends that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 85-494 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider acceptance of Town & Country Tree & Pest Control, Inc.'s contract for street tree work in Housing Improvement Area No. 3 as complete. (Original contract: \$18,210)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$20,250; funds are budgeted.)

ACTION: Res. 85-495 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of a computer, terminal, three graphic tablets, and memory upgrade from Hewlett Packard for the total price of \$17,716.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-496 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Letter from D.I.D. requesting permission to block off parking spaces on "I" Street from 11th to 12th on the Courthouse side and parking spaces on 11th and 12th Streets from "I" Street to crosswalk on Courthouse side, and requesting that there be no time limit for on-street parking on Friday, August 16, 1985, Modesto's 115th Birthday Celebration.
(Motion approving request needed.)

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

15. Letter from Sal Cannella, Chairman of the Stanislaus County Board of Supervisors, requesting an 80/20 split of local one percent sales taxes collected in the City.

ACTION: By motion (Bright/Whiteside, unan.; Lang, Muratore absent) the matter referred back to the City Council Committee members Lang, Patterson and Sutton to continue negotiations with the County.

15a.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

16. Consider approving the draft letter of response/survey to the Department of Transportation for the Mayor's signature regarding our essential air service to Los Angeles.
(Memo with agenda. Motion approving draft letter for Mayor's signature needed.)

ACTION: By motion (Sutton/Patterson, unan.; Lang, Muratore absent) letter approved. (Utility Services to handle)

17. Consider adoption of a resolution of intention to amend contract with Public Employees Retirement System for a one-time 4% increase in retirement benefits for members who retired or died prior to January 1, 1981.
(Memorandum with agenda. Resolution of intention needed and ordinance authorizing an amendment to the contract needed.)

ACTION: By motion (Patterson/Sutton, unan.; Lang, Muratore absent) Ord. 2362-C.S. introduced.
Res. 85-497 adopted (same vote) amending contract.
(Management Services to handle)

CONSENT

18. Consider proposed revised "Welcome to Downtown Modesto" signs - D.I.D. Project.
(D.I.D. desires to replace existing "Welcome to Downtown Modesto" signs with larger, more visible models. Council authorization requested to install signs within street right-of-way. Memo with agenda. Motion approving needed. Estimated cost: \$1,150; funds are budgeted.)

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

CONSENT

19. Consider approval of the final map of Gainsboro Place subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Gainsboro Place
(The subdivision agreement has been signed and all fees paid. Gainsboro Place is located at the east end of Gainsboro Place, west of Oakdale Road, south of Floyd Avenue. It contains 2.230 acres. Resolution approving final map needed.)

ACTION: Res. 85-498 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Orangeburg Plaza No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Steinpress Development (Orangeburg Plaza No. 2 subdivision is located south of E. Orangeburg Avenue between Jarrell Court and Claus Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-499 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider authorizing City Manager to sign a revocable permit between the City of Modesto and Hetch Hetchy Water and Power for the placement of an 80' wide roadway with walkways and appurtenances at Hahn Drive across Hetch Hetchy Parcel No. 675. (This roadway construction is to take place on Hahn Drive between Rumble Road and Standiford Avenue. Resolution authorizing City Manager to sign permit needed.)

ACTION: Res. 85-500 adopted approving revocable permit. (Eng to handle)

CONSENT

22. Consider authorizing the City to enter into a NIMLO FLSA Litigation Trust Fund Agreement. (The purpose of this agreement will be to support litigation seeking a declaratory judgment that will require changes in the policies and the costs of the Fair Labor Standards Act (FLSA). The declaratory judgment will require that the FLSA cannot constitutionally be applied to health, police, fire and other essential local government functions. Estimated cost to the City, based on population would be \$2,000. It will be necessary to approve an appropriation transfer to provide financing. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-501 adopted approving agreement. (Atty to handle)

MISCELLANEOUS

CONSENT

23. Legislation: Staff recommendations:

Support

- a) AB 1717 (Condit) - Limitation on Types of Lottery Games
- b) SB 351 (Robbins) - Uninsured Motorists - Penalties

Oppose

- c) Mandatory State and Local Governmental Employee Medicare and/or Social Security Coverage

Fair Labor Standards Act

Support

- d) S. 1434 (Wilson)
e) H.R. 2936 (Byron)

Oppose

- f) H.R. 2866 (Ford)
g) H.R. 2933 (Conyers)

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

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

24. Appointments

None

25.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 85-502 adopted (Bright/Whiteside, unan.; Lang, Muratore absent) requesting that LAFCO amend the designated sphere of influence so the Jennings Road No. 2 Annexation can be annexed to the City of Modesto. (Planning to handle)

ADJOURNMENT

The meeting adjourned at 5:08 p.m. to Thursday, August 8, 1985, at 10:00 a.m., City Hall, Third Floor Conference Room, to meet with Chris Chiames, Congressman Coelho's assistant.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 13, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Troy Saunders, First Apostolic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 23, 24, 25, 28, 29

ACTION: (Lang/Patterson, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 6, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider awarding contract to negotiate a joint trackage agreement. (Memo with agenda. An \$8,000 contract with De Leuw, Cather & Company is ready for approval. They would try to get the Southern Pacific and Union Pacific companies to relocate the tracks from 9th Street. Resolution approving the agreement needed, and resolution amending the Annual Budget for Fiscal Year 1985-86 to provide financing for agreement needed.) (Councilmembers Sutton and Whiteside and Mayor Mensinger will be excused due to conflicts of interest.)

ACTION: Res. 85-503 adopted (Lang/Muratore, unan., Sutton, Whiteside and Mensinger absent) approving agreement.
Res. 85-504 adopted (Lang/Muratore, unan., Sutton, Whiteside and Mensinger absent) amending budget.
(Parking & Traffic to handle)

4. Consider introduction of an ordinance to:

- a. Allow the City to collect from bingo operations a 1% fee on monthly gross over \$5,000.
 - b. Require that charitable bingo games operate no closer than one-quarter mile of each other.
- (Memos with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Whiteside, majority, Patterson-no) Ord. No. 2363-C.S. introduced instituting a 1% fee on monthly gross over \$5,000 and providing that games cannot be located closer than 1/4 mile.
(Police/Clerk to handle)

5. Report on Enterprise Zone application. (Modesto has been selected as one of 20 areas to submit an application for final designation as an Enterprise Zone. Included in the final application will be local incentives. The Economic Development Office asks for Council concurrence with the approach as proposed in the memo with agenda. Motion directing staff to pursue and complete the final application for an Enterprise Zone to the State of California needed.)

ACTION: By motion (Whiteside/Sutton, unan.) staff directed to proceed with the application and to form a community task force to assist with the establishment of an Enterprise Zone.
(Economic Development to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2358-C.S. rezoning from a portion of P-D(166) to P-D9381), property located on the north corner of Sisk Road and Vintage Drive. (Trans-World Financial Corp., Inc.)
- b. Ord. No. 2359-C.S. repealing P-D(239) and rezoning to R-3, property located on the east corner of 16th Street and G Street.
- c. Ord. No. 2360-C.S. repealing P-D(210) and rezoning to R-1, property located on the north side of Vine Street west of Franklin Street.
- d. Ord. No. 2361-C.S. repealing P-D(313) and rezoning to R-1, property located on the north side of E. Orangeburg Avenue east of Oakdale Road.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

- 7. Hearing to consider protests to orders to construct commercial alley improvements - Project No. 4.**
The block numbers and location of the alleys under consideration are as follows:

Block No. 32 - Bounded by 6th - 7th/"G" - "H"

Block No. 107 - Bounded by 13th - 14th/"J" - "K"

Block No. 109 - Bounded by 13th - 14th/"L" - Needham

Block No. 115 - Bounded by 14th - 14th/"G" - "F"

ACTION: Res. 85-505 adopted (Lang/Muratore, unan.) ordering the work of construction in commercial alleys.

(Eng to handle)

- 8. Consider approval of plans and specifications and call for bids for commercial alley paving - Project No. 4.**
(Suggested bid opening: August 27, 1985, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$79,200 (contract \$72,000; engineering & cont. \$7,200); funds are budgeted.)

ACTION: Res. 85-506 adopted (Lang/Muratore, unan.) calling for bids.

(Eng to handle)

9. Report by Superintendent of Streets of the cost of residential alley resurfacing - Project No. 11.
 (The information below shows the project locations listed by Lot and Block number. The dollar amounts listed reflect the contract costs for the placement of asphalt and the raising of sewerage facilities. The grading of the alleys was paid for by the City.)
 (Councilmember Sutton will be excused due to a conflict of interest.)

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

ACTION: By motion (Lang/Patterson, unan., Sutton absent) action on all alleys except 842 continued to August 27, 1985, at 7:30 p.m.

(Clerk to handle)

BLOCK 817 COLUMBIA-MILLS/VALERIE-CARLA

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
David L. Blickenstaff, Sr.	8	\$567.51
Earl O. Winn	7	521.33
Wray F. Ladine	6	521.33
John C. Corbin	5	567.33
Margaret L. Adams	1	567.33
Kenneth L. Marrs	Por.	521.33
Robert W. Larson	Por.	429.33
Anthony Smykal, Jr.	Por.	452.33
Judith L. Jenkins	Por.	406.51

BLOCK 818 COLUMBIA-MILLS/HELMS-VALERIE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Eleanor M. Haines	Por.	\$605.96
Andrew C. Ferrier	Por.	468.24
Peter R. Brush	7	514.24
Michael W. Boyarsky	6	398.87
Emma Denney	5	399.24
Jesse E. Eager	1	399.24
Paul J. Corrigan	Por.	514.24
Lula M. Johnson	Por.	417.64
Walter F. Lab	Por.	421.96
Martin E. Mitchel	Por.	413.04

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Gene E. Flora <u>ACTION:</u> Res. 85-507 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	Por.	\$748.00 (Finance to handle)
Richard D. Nott <u>ACTION:</u> Res. 85-508 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	14	247.50 (Finance to handle)
Frank J. and Rosemarie Catizone <u>ACTION:</u> Res. 85-509 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	13	654.12 (Finance to handle)
Margaret Sanders <u>ACTION:</u> Res. 85-510 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	12	385.06 (Finance to handle)
John C. and Donna L. Sutton <u>ACTION:</u> Res. 85-511 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	11	411.40 (Finance to handle)
<u>ACTION:</u> Res. 85-512 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.		(Finance to handle)
Roland T. C. Loeffler <u>ACTION:</u> Res. 85-513 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	10	411.40 (Finance to handle)
Gilbert L. Nessler <u>ACTION:</u> Res. 85-513 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	9	438.02 (Finance to handle)
Rex Burris <u>ACTION:</u> Res. 85-514 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	Por.	561.00 (Finance to handle)
Joseph S. Franzia <u>ACTION:</u> Res. 85-515 adopted (Whiteside/Bright, unan., Sutton absent) confirming report, assessing costs and directing method of collection.	Por.	687.50 (Finance to handle)

George M. Olsen Por. 550.00
ACTION: Res. 85-516 adopted (Whiteside/Bright, unan., Sutton absent)
 confirming report, assessing costs and directing method of
 collection. (Finance to handle)

Donald S. Eastin Por. 462.00
ACTION: Res. 85-517 adopted (Whiteside/Bright, unan. Sutton absent)
 confirming report, assessing costs and directing method of
 collection. (Finance to handle)

Ronald W. Posey Por. 462.00
ACTION: Res. 85-518 adopted (Whiteside/Bright, unan. Sutton absent)
 confirming report, assessing costs and directing method of
 collection. (Finance to handle)

John R. Ertel Por. 573.43
ACTION: Res. 85-519 adopted (Whiteside/Bright, unan. Sutton absent)
 confirming report, assessing costs and directing method of
 collection. (Finance to handle)

BLOCK 1172 COOLIDGE-E. ORANGEBURG/PAULETTE-QUEENS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert F. and Dana L. McManus	4	\$345.09
Edwin F. Fontes	3	340.40
Richard Silveira	2	340.40
C. F. Brown	1	351.12
George E. Ewell	18	374.12
Roy Beavers	17	335.80
Donald Andrew and Velet R. Gowans	16	335.80
Mary L. Troyer	15	331.29

BLOCK 1174 COOLIDGE-E. ORANGEBURG/LORRY-MORENE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Wilburn Y. Weeks	15	\$340.58
Lyle I. Iverson	16	340.40
Pamela Vlach	17	340.40
Raymond A. Moser	18	355.63
Bonnie Mihelis	1	351.21
Merilyn A. Catncart	2	340.40
Elzil L. Hall	3	340.40
Susie M. Hensley	4	345.00

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Bill Pritchett	1	\$ 69.00
Jimmy R. Johnson	2	529.00
Frank D. Lund	3	359.90
Sharon Gaberel	3	359.77
Glenn L. Jackson	2	529.00
Sherril W. Shelton	1	69.00
Elba E. Jones	8	350.84
James L. Hyson, Jr.	9	342.70
Virginia Skordoulis	10	342.70
George L. Berg	11	347.39
George C. Pettygrove	4	342.84
Ralph C. Bowland	5	342.70
Paul M. Rykert	6	342.70
Paul E. Fulfer	7	355.35

BLOCK 2089

ROBLE-HADDON/COVENA-ROWLAND

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert H. Dorn	1	\$275.31
Birchard G. Seaman	2	276.00
O. S. Asbill	3	276.00
Edward J. Vargas	4	276.00
John Neptune	5	276.00
Mary A. Baskin	6	276.00
Richard D. Ciccarelli	7	276.00
Gwendolyn Lucille Anderson	8	276.00
Ernest M. Azevedo	9	276.00
Carl W. Lairson	10	276.00
Marjorie Doehne	Por.	230.00
Darleen M. Beard	Por.	598.00
Thomas J. Torvend	14	276.00
Mary E. Bolles	15	276.00
Jay H. Jackson	16	276.00
Kenneth H. Breckenridge	17	276.00
Oliver L. Huntley	18	276.00
Charles C. Clock	19	276.00
Anthony Grosso	20	276.00
Loretta De Young	21	276.00
Frances Woodworth	22	276.00
Robert L. Rice	23	276.00
E. L. Floyd	24	276.00
Theresa Lila Brigden	25	276.00
Marion Peters	26	275.49

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Andrea E. McGhee	1	\$318.60
Karen Katz	2	287.50
Gerald E. Grover	3	276.00
Donald L. Scanlon	4	276.00
Gwen S. McKinnon	5	276.00
Antone M. Coelho	6	287.50
Harman E. Schteiden	7	279.40
Roy L. Ridgway	8	319.56
Robert Leroy Head	9	276.00
Geretha M. McNeilly	10	345.00
Gilbert M. Sakima	11	441.88
Violet G. Boland	Por.	529.00

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Donald A. Wells	28	\$230.00
Ora E. Rubke	27	230.00
Dorthea L. Blaylock	26	230.00
Bonner J. Fisher	25	230.00
Leo F. Nowak	24	230.00
Dorothea L. Blaylock	23	230.00
Franklin Miller	22	230.00
William A. Duncan	21	230.00
Stella G. Davis	20	230.00
James F. Snook	19	230.00
Ruth Ann Hare	18	230.00
Basilio Quinonez	17	230.00
Randy R. Joseph	16	230.00
C. E. Yarbrough	15	230.00
Cecil Wagner	14	230.00
William R. Wright	13	230.00
Joseph Lovaivo	12	230.00
Wilma M. Miller	11	230.00
Lloyd Breshears	10	230.00
Janice G. Chacon	9	230.00
Luceal V. Reynolds	8	230.00
Charles R. Parkay	7	230.00
John J. Tennis	6	230.00
Laney D. Valek	5	230.00
Dale G. Sargent	4	230.00
Vernon F. White	3	230.00
Anthony J. Canizzaro	2	230.00
Cecile E. Thompson	1	230.00

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Barbara Burns Inmon	24	\$556.93
Patricia L. Leslie	25	598.33
Laurence E. Grandt	26	321.32
Edmund M. Robinson	27	304.94
Rose A. Chladek	28	303.93
Orlena K. Hawkins	29	322.33
Lynn W. Jamison	30	501.73
Alta M. Countryman	31	170.53
William A. Scheuber	13	271.73
Roy N. Lipanovich, Jr.	12	271.73
Ray L. Thompson	11	271.73
R. G. Weber	10	271.73
Timothy A. Lawrence	9	119.33
Robert Diehl	23	556.93

BLOCK 12950

SUNRISE/HAMPSHIRE-FLOYD

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Lloyd Hughes	1	\$588.07
Richard L. Skidmore	2	472.98
Jerry S. Applegate	3	472.98
Everett Graham	Por.	472.98
John Bell, III	4	495.98
Anthony R. Sciabica	5	473.95
Charles L. Delhart	6	481.67
Keitn N. Decker	7	340.78
Robert D. Clafin	8	355.31
John F. Tomas	9	794.98
Gene E. Ford	10	572.57
Marilyn Dias	11	472.98
Marjorie C. Vent	12	472.47
James H. Wilson	Por.	679.98

10. Hearing to consider amendment to Section 13-3-9, 14-3-9 and 23-3-9 of the Zoning Map to rezone from R-1 to R-2 and R-3, property located along Merle Avenue east of Oakdale Road. (Vito N. Pantaleo)

ACTION: By motion (Lang/Sutton, unan.) Ord. No. 2364-C.S. introduced.
Res. 85-520 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

11. Hearing to consider an amendment to the Zoning Map, redesignating areas zoned R-A to R-1 and areas zone H-1 to C-3 to be consistent with the Zoning Code as revised by Omni 8.

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2365-C.S. introduced.
(Clerk to handle)

BIDS

CONSENT

12. Consider approval of plans and specifications and call for bids for the water line extension in Vintage Drive.
(Suggested bid opening: August 27, 1985, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$20,300 (contract \$18,000; engineering & cont. \$2,300); funds are budgeted.)

ACTION: Res. 85-521 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for reroofing the American Legion Hall.
(Suggested bid opening: August 27, 1985, at 11:15 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,501.79 (contract \$23,045.03; engineering & cont. \$26,501.79); funds are budgeted.)

ACTION: Res. 85-522 adopted calling for bids. (Eng to handle)

CONSENT

14. Consider calling for bids to acquire traffic signal materials.
(Memo with agenda. The signal heads we specify are becoming scarce and difficult to acquire on short notice. By providing them to future contractors, we'll avoid one source of potential contract delay. This acquisition will be for approved CIP projects. Resolution approving specifications and calling for bids to be opened September 17, 1985, at 11:00 a.m. needed. Estimated cost: \$9,600; funds are budgeted.)

ACTION: Res. 85-523 adopted calling for bids. (P & T to handle)

CONSENT

15. Consider award of contract for the construction of metal storage building at the Water Quality Control Plant.
(Bids were opened on August 6, 1985. The low bid of \$54,119, submitted by B & L Builders is 13% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to B & L Builders needed. Funds are budgeted.)

ACTION: Res. 85-524 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider award of contract for remodeling City Clerk's office. (Bids were opened on August 6, 1985. The low bid of \$7,650, submitted by B & L Builders is the sole bid received and is 25.41% above the engineer's estimate. It is considered acceptable, and staff, therefore, recommends that the contract be awarded to B & L Builders. Memo and bid tabulation with agenda. Resolution awarding contract to B & L Builders needed. Funds are budgeted.)

ACTION: Res. 85-524 adopted awarding contract. (Eng to handle)

CONSENT

17. Consider waiving formal bid procedures and authorize the purchase of road oil and spreader services from Sheldon Oil Co. for the total amount of \$6,603. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-525 adopted awarding contract. (Finance to handle)

18.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

19. Consider approving cooperative agreement between the City and the Stanislaus County Housing Authority for the Housing Authority to issue Multi-Family Mortgage Revenue Bonds (MFMRB's) for Paradise Gardens. (The Housing Authority plans to issue MFMRB's for a project within the City. They want a cooperative agreement with the City before they proceed. They will use the same low and very low income policy requirements as adopted by the City Council. Staff recommends the City enter into a cooperative agreement. Memo with agenda. Resolution approving cooperative agreement needed.)

ACTION: Res. 85-527 adopted approving agreement. (Plan & CD to handle)

CONSENT

20. Consider excusing Councilmembers Lang and Muratore for being absent on August 6, 1985, due to their trip to study alternatives to landfilling. (Motion excusing absences needed.)

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

CONSENT

21. Consider acceptance of California Parks and Recreational Facilities of 1984 Historical Preservation Grant for McHenry Mansion restoration. The State Parks and Recreation Department has approved the City's grant application for the elevator, restroom and lower level multipurpose area construction at the McHenry Mansion. Resolution accepting grant needed. Estimated cost: \$100,000; funds are budgeted.)

ACTION: Res. 85-528 adopted accepting grant. (P & R to handle)

CONSENT

22. Consider setting hearing concerning amendments to the Conflict of Interest Codes of the Utility Services Department to add the Assistant Director of Utility Services and Administrative Assistant positions, and the Finance Department to add the Senior Accountant position. (Resolution setting hearing on September 3, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-529 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider amendment of agreement with the Chamber of Commerce allowing payment of the City's annual allocation in a single installment. (Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-530 adopted approving agreement. (Finance to handle)

CONSENT

24. Annual approval of City's current Investment Policy required by State law. (Memo with agenda. Motion approving the City's current Investment Policy needed.)

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

CONSENT

25. Consider approval of the renewal of Museum Floater Policy insurance through Giddings, Corby, Hynes, Inc. (Memo with agenda. Resolution approving insurance renewal needed. Estimated cost: \$2,842; funds are budgeted.)

ACTION: Res. 85-531 adopted approving insurance renewal.
(Management Services to handle)

26. Consider designating voting delegate and voting alternate for the annual League of California Cities conference October 6 - 9, 1985.
(League memo with agenda. Motion designating delegate and alternate needed.)

ACTION: By motion (Lang/Sutton, unan.) the Mayor was designated voting delegate and the Vice Mayor was designated alternate.
(Clerk to handle)

27. Recommendation by Councilmember Whiteside that steps be taken to begin formation of a Forward Modesto III Committee soon after the first of the year.

ACTION: By motion (Whiteside/Lang, unan.) staff directed to prepare a plan for formation of a Forward Modesto III Committee.
(Manager to handle)

CONSENT

28. Consider authorizing proceeding with negotiations for well site at McHenry and Bangs.
(Funds are currently budgeted for a City well site in the North Modesto area. This well site will be located at McHenry and Bangs. Motion authorizing staff to proceed needed.)

ACTION: By motion, staff authorized to proceed.
(Utility Svcs to handle)

MISCELLANEOUS

CONSENT

29. Legislation:

Staff recommends strongly opposing the President's Tax Reform Package.
(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

30. Appointments

None

31.

MATTERS TOO LATE FOR THE AGENDA

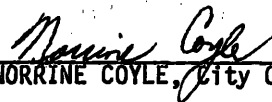
(These may be presented by members of the City Council and staff.)

The City Manager said the City received approval of an E.D.A. grant of 1.2 million dollar grant for the Community Center parking garage.

ADJOURNMENT

Meeting adjourned at 11:50 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 20, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6b & 6c, 7, 8, 9, 10, 11,
12, 13, 14, 16, 17, 20, 21, 22,
24
Removed from consent: 6a, 18
Dropped from agenda: 19, 23

ACTION: (Patterson/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of August 8, 1985, and August 13, 1985, and the regular City Council meeting of August 13, 1985.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Council Solid Waste Committee report on visit to waste-to-energy facilities in Florida and Committee recommendations.
(Report and recommendation with agenda. Motion accepting report and approving recommendations needed.)

ACTION: By motion (Whiteside/Sutton, unan.) the three recommendations approved with the additional recommendation that the City's expectations be expressed to C.S.I. up front and that the fee structure be brought to the Council before August 28.
(Utility Services to handle)

4. Further consideration of Jennie-Grand Streets routing (Highway 132).
(Memo with agenda. The City Council has favored the Z-2 routing. Now that Gallo is not going to be donating the right of way, this is no longer the cheapest route. Resolution needed.)

ACTION: Res. 85-532 adopted (Muratore/Lang, unan.) supporting Plan 2-A.
(P/T to handle)

5. Consider changing parking regulations on Lot 25 behind World Savings.
(Memo with agenda. The DMA and the DID want Lot 25 changed to remain half metered and the other half to be for all-day parking using a ticket spitter. Resolution changing the regulations on Lot 25 or motion referring the matter for further study and appropriation transfer needed. Estimated cost: \$1,200; funds are budgeted.)

ACTION: Res. 85-533 adopted (Whiteside/Sutton, unan.) approving both meters and all-day parking on the lot.

Res. 85-534 adopted (Whiteside/Sutton, unan.) approving appropriation transfer. (P/T and Finance to handle)

6. Final adoption of:

- a. Ord. No. 2363-C.S. amending Municipal Code relating to Bingo games.

ACTION: By motion (Lang/Whiteside, majority, Patterson-no) Ord. No. 2363-C.S. adopted. (Clerk to handle)

CONSENT

- b. Ord. No. 2364-C.S. rezoning from R-1 to R-2 and R-3, property located along Merle Avenue east of Oakdale Road. (Vito Pantaleo)
- c. Ord. No. 2365-C.S. amending the Zoning Map of the City of Modesto redesignating areas zoned R-A to R-1 and areas zoned H-1 to C-3. (Motion adopting needed.)

ACTION: By motion, Ordinance No.s 2364-C.S. and 2365-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

- 7. Consider approving specifications and authorize call for bids to be opened September 17, 1985, at 3:00 p.m. for furnishing Police portable radios.
(Requested by the Police Department, the portable radios will replace similar radios purchased in 1970. The radios are used primarily by detective and patrol personnel. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$32,000; funds are budgeted.)

ACTION: Res. 85-535 adopted calling for bids. (Finance to handle)

CONSENT

- 8. Consider approving specifications and authorize call for bids to be opened September 17, 1985, at 3:10 p.m. for ten sweeper refuse bins.
(Requested by the Street Cleaning Division, the bins will be used along with recently purchased high-dump sweepers to gather and stow street sweepings. The bins will then be picked up by truck and hauled to the dump. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 85-536 adopted calling for bids. (Finance to handle)

CONSENT

- 9. Consider approval of plans and specifications and call for bids for catch basin replacement - various locations.
(Suggested bid opening: September 10, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$9,680 (contract \$8,800; engineering & cont. \$880); funds are budgeted.)

ACTION: Res. 85-537 adopted calling for bids. (Eng to handle)

CONSENT

- 10. Consider declaring L. M. Morris Company low bidder and authorize purchase of one copy machine for the total amount of \$5,970.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 85-538 adopted authorizing purchase. (Finance to handle)
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CONSENT

11. Consider declaring CalComp Group low bidder and authorize purchase of one digitizer tablet for the price of \$8,167.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 85-539 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider award of contract for the landscaping and irrigation of the Airport General Aviation Parking Lot.
(Bids were opened on August 13, 1985. The low bid of \$8,298, submitted by Professional Landscape and Maintenance is 27.66% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Professional Landscape and Maintenance needed. Funds are budgeted.)

ACTION: Res. 85-540 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider award of contract for the construction of water line extension in Marsala Avenue.
(Bids were opened on August 13, 1985. The low bid of \$20,881.50, submitted by Clyde Wheeler Pipeline, is 1.36% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Clyde Wheeler Pipeline. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

ACTION: Res. 85-541 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider acceptance of Central Pump's contract for the replacement of the sand trap for City Well No. 24. (Original contract and final cost: \$26,700)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-542 adopted accepting work as complete. (Clerk to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

16. Consider approval of LAFCO Questionnaire indicating no opposition to Woodland-Morse Governmental Reorganization (Property owners of three agricultural parcels at the western boundary of the Urban Area in the Woodland Neighborhood have petitioned for annexation. The proposed uninhabited annexation is located on both sides of Woodland Avenue along the east side of Morse Road, totals 32.2 acres and includes three single-family dwellings. Memo, map and questionnaire with agenda. Resolution responding favorably to the proposed governmental reorganization needed.)

ACTION: Res. 85-543 adopted responding favorably to the proposed governmental reorganization. (Planning to handle)

CONSENT

17. Consider acceptance of improvements in Hillsboro Terrace subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Pelandale Road Ranch No. I and Pelandale Road Ranch No. II and Irwin Steinpress) (Hillsboro Terrace subdivision is located south of Pelandale Avenue, east of Gagos Drive. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-544 adopted accepting improvements. (Clerk to handle)

18. Consider revised City of Modesto Emergency Plan. (It is necessary to revise the City's Emergency Plan occasionally to reflect changes that have occurred. The last revision of Modesto's Plan was in 1981. The plan with agenda includes updates and minor revisions in wording, titles, and descriptions, and it is in conformance with existing federal standards. Resolution approving revised plan needed.)

ACTION: Res. 85-545 adopted (Muratore/Patterson, majority, Bright- no) approving plan with the succession of Councilmembers to be by seniority rather than alphabetically. (Fire to handle)

CONSENT

19. Consider approval of request by United Way to erect a goal sign on the lawn of King-Kennedy Memorial Center. (United Way of Stanislaus is requesting permission to erect a sign on the lawn of King-Kennedy Memorial Center during their campaign. Staff recommends approval. Memo with agenda. Resolution approving request needed.)

Dropped from agenda

CONSENT

20. Consider approving an agreement with Av-Med of California, Inc., for group medical and hospital services.
(Memorandum with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-546 adopted approving agreement. (Management Services to handle)

CONSENT

21. Consider approval of agreement with the Stanislaus County Housing Authority to monitor two multiple-family density bonus projects.
(The Stanislaus County Housing Authority will be monitoring the low and very low density portions of the two Council-approved density bonus projects. Funds are available from the multi-family mortgage revenue bond fees. Resolution approving agreements needed. Estimated cost: \$2,386.50.)

ACTION: Res. 85-547 adopted approving agreements. (Planning to handle)

CONSENT

22. Consider renewal of individual public official bonds for September 10, 1985 - September 10, 1988 with Giddings, Corby, Hynes, Inc.
(Memo with agenda. Resolution approving renewal needed. Estimated cost: \$1,590; funds are budgeted.)

ACTION: Res. 85-548 adopted approving renewal of bonds. (Management Services to handle)

23. Consider recommendation of Council Solid Waste Committee that the City of Modesto support Stanislaus County's position on the Fink Road Landfill.
(Memo with agenda. Motion approving recommendation needed.)

Dropped from agenda.

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Support; Seek amendment - SB 482 (Seymour) - Recovery of costs incurred in responding to Hazardous substance transportation incidents.

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

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

25. Appointments

None

26.

MATTERS TOO LATE FOR THE AGENDA

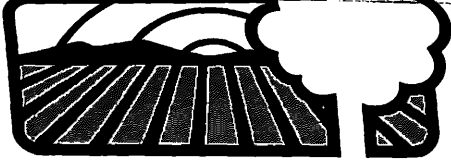
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 6:50 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 27, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 9, 12, 13, 14, 15, 16, 17, 18, 19

ACTION: (Sutton/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 20, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Staff report specifying the City's and County's expectations and the fee structure for consultants services prior to entering into negotiations for the construction of City/County Waste-to-Energy plant. (Memo will be forthcoming prior to the Council meeting on August 27, 1985. Motion acknowledging receipt of report needed.)

ACTION: By motion (Whiteside/Bright, unan.) report and recommendations approved. (Utility Services to handle)

CONSENT

4. Consider Culture Commission recommendation that a historical building ordinance be developed. (The Culture Commission recommends staff be authorized to investigate such an ordinance. Memo with agenda. Motion approving recommendation needed.)

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

HEARINGS

5. Hearing to consider approval of Report by Superintendent of Streets on the costs of residential alley resurfacing - Project No. 11. (Continued from the August 13, 1985, City Council meeting.) (The information below shows the project locations listed by Lot and Block Number. The dollar amounts listed reflect the contract costs for the placement of asphalt and the raising of sewerage facilities. The grading of the alleys was paid for by the City.)

BLOCK 817

COLUMBIA-MILLS/VALERIE-CARLA

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
David L. Blickenstaff, Sr.	8	\$567.51
<u>ACTION:</u>	Res. 85-549 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Earl O. Winn	7	521.33
<u>ACTION:</u>	Res. 85-550 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Wray F. Ladine	6	521.33
<u>ACTION:</u>	Res. 85-551 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
John C. Corbin	5	567.33
<u>ACTION:</u>	Res. 85-552 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

Margaret L. Adams	1	567.33
<u>ACTION:</u>	Res. 85-553 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Kenneth L. Marrs	Por.	521.33
<u>ACTION:</u>	Res. 85-554 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Robert W. Larson	Por.	429.33
<u>ACTION:</u>	Res. 85-555 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Anthony Smykal, Jr.	Por.	452.33
<u>ACTION:</u>	Res. 85-556 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Judith L. Jenkins	Por.	406.51
<u>ACTION:</u>	Res. 85-557 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)

BLOCK 818

COLUMBIA-MILLS/HELMS-VALERIE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Eleanor M. Haines	Por.	\$605.96
<u>ACTION:</u>	Res. 85-558 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Andrew C. Ferrier	Por.	468.24
<u>ACTION:</u>	Res. 85-559 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Peter R. Brush	7	514.24
<u>ACTION:</u>	Res. 85-560 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Michael W. Boyarsky	6	398.87
<u>ACTION:</u>	Res. 85-561 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)

Emma Denney	5	399.24
<u>ACTION:</u>	Res. 85-562 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Jesse E. Eager	1	399.24
<u>ACTION:</u>	Res. 85-563 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Paul J. Corrigan	Por.	514.24
<u>ACTION:</u>	Res. 85-564 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Lula M. Johnson	Por.	417.64
<u>ACTION:</u>	Res. 85-565 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Walter F. Lab	Por.	421.96
<u>ACTION:</u>	Res. 85-566 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Martin E. Mitchell	Por.	413.04
<u>ACTION:</u>	Res. 85-567 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

BLOCK 1172 COOLIDGE-E. ORANGEBURG/PAULETTE-QUEENS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert F. and Dana L. McManus	4	\$345.09
<u>ACTION:</u>	Res. 85-568 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Edwin F. Fontes	3	340.40
<u>ACTION:</u>	Res. 85-569 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Richard Silveira	2	340.40
<u>ACTION:</u>	Res. 85-570 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
C. F. Brown	1	341.76
<u>ACTION:</u>	Res. 85-571 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

George E. Ewell 18 364.14
ACTION: Res. 85-572 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

Roy Beavers 17 317.89
ACTION: Res. 85-573 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

Donald Andrew and Velet R. Gowans 16 306.25
ACTION: Res. 85-574 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

Mary L. Troyer 15 329.52
ACTION: Res. 85-575 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

BLOCK 1174 COOLIDGE-E. ORANGEBURG/LORRY-MORENE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Wilburn V. Weeks <u>ACTION:</u> Res. 85-576 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	15	\$335.98
Lyle I. Iverson <u>ACTION:</u> Res. 85-577 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	16	340.40
Pamela Vlach <u>ACTION:</u> Res. 85-578 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	17	340.40
Raymond A. Moser <u>ACTION:</u> Res. 85-579 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	18	346.39
Bonnie Mihelis <u>ACTION:</u> Res. 85-580 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	1	346.59

Merilyn A. Cathcart 2 306.36
ACTION: Res. 85-581 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

Elzil L. Hall 3 306.36
ACTION: Res. 85-582 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

Susie M. Hensley 4 340.40
ACTION: Res. 85-583 adopted (Muratore/Lang, unan.) confirming report,
 assessing costs and directing method of collection.
 (Finance to handle)

BLOCK 1205, 1208 BRIGGSMORE-COOLIDGE/PAULETTE-QUEENS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Bill Pritchett <u>ACTION:</u> Res. 85-584 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	1	\$ 69.00
Jimmy R. Johnson <u>ACTION:</u> Res. 85-585 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	2	592.20
Frank D. Lund <u>ACTION:</u> Res. 85-586 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	3	179.95
Sharon Gaberel <u>ACTION:</u> Res. 85-587 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	3	351.93
Glenn L. Jackson <u>ACTION:</u> Res. 85-588 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	2	519.80
Sherril W. Shelton <u>ACTION:</u> Res. 85-589 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	1	69.00
Elba E. Jones <u>ACTION:</u> Res. 85-590 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	8	350.84

James L. Hyson, Jr.	9	273.23
<u>ACTION:</u>	Res. 85-591 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Virginia Skordoulis	10	338.07
<u>ACTION:</u>	Res. 85-592 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
George L. Berg	11	347.39
<u>ACTION:</u>	Res. 85-593 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
George C. Pettygrove	4	342.84
<u>ACTION:</u>	Res. 85-594 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Ralph C. Bowland	5	338.07
<u>ACTION:</u>	Res. 85-595 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Paul M. Rykert	6	338.07
<u>ACTION:</u>	Res. 85-596 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Paul E. Fulfer	7	351.66
<u>ACTION:</u>	Res. 85-597 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

BLOCK 2089 ROBLE-HADDON/COVENA-ROWLAND

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert H. Dorn	1	\$270.72
<u>ACTION:</u>	Res. 85-598 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Birchard G. Seaman	2	241.50
<u>ACTION:</u>	Res. 85-599 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
O. S. Asbill	3	138.00
<u>ACTION:</u>	Res. 85-600 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

Edward J. Vargas	4	110.40
<u>ACTION:</u>	Res. 85-601 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
John Neptune	5	138.00
<u>ACTION:</u>	Res. 85-602 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Mary A. Baskin	6	271.40
<u>ACTION:</u>	Res. 85-603 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Richard D. Ciccarelli	7	248.40
<u>ACTION:</u>	Res. 85-604 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Gwendolyn Lucille Anderson	8	271.40
<u>ACTION:</u>	Res. 85-605 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Ernest M. Azevedo	9	276.00
<u>ACTION:</u>	Res. 85-606 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Carl W. Lairson	10	271.40
<u>ACTION:</u>	Res. 85-607 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Marjorie Doehne	Por.	230.00
<u>ACTION:</u>	Res. 85-608 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Darleen M. Beard	Por.	598.00
<u>ACTION:</u>	Res. 85-609 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Thomas J. Torvend	14	276.00
<u>ACTION:</u>	Res. 85-610 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Mary E. Bolles	15	276.00
<u>ACTION:</u>	Res. 85-611 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

Jay H. Jackson	16	271.40
<u>ACTION:</u>	Res. 85-612 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Kenneth H. Breckenridge	17	271.40
<u>ACTION:</u>	Res. 85-613 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Oliver L. Huntley	18	276.00
<u>ACTION:</u>	Res. 85-614 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Charles C. Clock	19	271.40
<u>ACTION:</u>	Res. 85-615 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Anthony Grosso	20	276.00
<u>ACTION:</u>	Res. 85-616 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Loretta De Young	21	276.00
<u>ACTION:</u>	Res. 85-617 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Frances Woodworth	22	276.00
<u>ACTION:</u>	Res. 85-618 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Robert L. Rice	23	276.00
<u>ACTION:</u>	Res. 85-619 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
E. L. Floyd	24	276.00
<u>ACTION:</u>	Res. 85-620 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Theresa Lila Brigden	25	230.00
<u>ACTION:</u>	Res. 85-621 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Marion Peters	26	275.49
<u>ACTION:</u>	Res. 85-622 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Andrea E. McGhee <u>ACTION:</u>	1	\$318.60
Res. 85-623 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Karen Katz <u>ACTION:</u>	2	287.50
Res. 85-624 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Gerald E. Grover <u>ACTION:</u>	3	276.00
Res. 85-625 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Donald L. Scanlon <u>ACTION:</u>	4	276.00
Res. 85-626 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Gwen S. McKinnon <u>ACTION:</u>	5	276.00
Res. 85-627 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Antone M. Coelho <u>ACTION:</u>	6	287.50
Res. 85-628 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Harman E. Schteiden <u>ACTION:</u>	7	279.40
Res. 85-629 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Roy L. Ridgway <u>ACTION:</u>	8	319.56
Res. 85-630 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Robert Leroy Head <u>ACTION:</u>	9	276.00
Res. 85-631 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Geretha M. McNeilly <u>ACTION:</u>	10	345.00
Res. 85-632 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Gilbert M. Sakima 11 441.88
ACTION: Res. 85-633 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

Violet G. Boland Por. 529.00
ACTION: Res. 85-634 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

BLOCK 6112 GLENWOOD-PEARL/DEL VALE-KEARNEY

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Donald A. Wells <u>ACTION:</u> Res. 85-635 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	28	\$230.00
Ora E. Rubke <u>ACTION:</u> Res. 85-636 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	27	230.00
Dorthea L. Blaylock <u>ACTION:</u> Res. 85-637 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	26	230.00
Bonner J. Fisher <u>ACTION:</u> Res. 85-638 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	25	225.40
Leo F. Nowak <u>ACTION:</u> Res. 85-639 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	24	230.00
Dorothea L. Blaylock <u>ACTION:</u> Res. 85-640 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	23	119.60
Franklin Miller <u>ACTION:</u> Res. 85-641 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	22	230.00
William A. Duncan <u>ACTION:</u> Res. 85-642 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	21	188.60

Stella G. Davis	20	225.40
<u>ACTION:</u>	Res. 85-643 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
James F. Snook	19	225.40
<u>ACTION:</u>	Res. 85-644 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Ruth Ann Hare	18	225.40
<u>ACTION:</u>	Res. 85-645 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Basilio Quinonez	17	230.00
<u>ACTION:</u>	Res. 85-646 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Randy R. Joseph	16	188.60
<u>ACTION:</u>	Res. 85-647 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
C. E. Yarbrough	15	230.00
<u>ACTION:</u>	Res. 85-648 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Cecil Wagner	14	230.00
<u>ACTION:</u>	Res. 85-649 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
William R. Wright	13	202.40
<u>ACTION:</u>	Res. 85-650 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Joseph Loyalvo	12	216.20
<u>ACTION:</u>	Res. 85-651 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)
Wilma M. Miller	11	225.40
<u>ACTION:</u>	Res. 85-652 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection.	(Finance to handle)

Lloyd Breshears	10	225.40
<u>ACTION:</u>	Res. 85-653 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Janice G. Chacon	9	230.00
<u>ACTION:</u>	Res. 85-654 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Luceal V. Reynolds	8	138.00
<u>ACTION:</u>	Res. 85-655 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Charles R. Parkay	7	223.10
<u>ACTION:</u>	Res. 85-656 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
John J. Tennis	6	202.40
<u>ACTION:</u>	Res. 85-657 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Laney D. Valek	5	230.00
<u>ACTION:</u>	Res. 85-658 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Dale G. Sargent	4	230.00
<u>ACTION:</u>	Res. 85-659 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Vernon F. White	3	230.00
<u>ACTION:</u>	Res. 85-660 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Anthony J. Canizzaro	2	222.64
<u>ACTION:</u>	Res. 85-661 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Cecile E. Thompson	1	230.00
<u>ACTION:</u>	Res. 85-662 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Barbara Burns Inmon <u>ACTION:</u> Res. 85-663 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	24	\$464.11
Patricia L. Leslie <u>ACTION:</u> Res. 85-664 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	25	598.33
Laurence E. Grandt <u>ACTION:</u> Res. 85-665 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	26	321.32
Edmund M. Robinson <u>ACTION:</u> Res. 85-666 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	27	304.94
Rose A. Chladek <u>ACTION:</u> Res. 85-667 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	28	299.25
Orlena K. Hawkins <u>ACTION:</u> Res. 85-668 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	29	299.91
Lynn W. Jamison <u>ACTION:</u> Res. 85-669 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	30	497.55
Alta M. Countryman <u>ACTION:</u> Res. 85-670 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	31	135.00
William A. Scheuber <u>ACTION:</u> Res. 85-671 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	13	262.36
Roy N. Lipanovich, Jr. <u>ACTION:</u> Res. 85-672 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	12	271.73

Ray L. Thompson 11 135.87
ACTION: Res. 85-673 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

R. G. Weber 10 271.73
ACTION: Res. 85-674 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

Timothy A. Lawrence 9 119.33
ACTION: Res. 85-675 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

Robert Diehl 23 510.52
ACTION: Res. 85-676 adopted (Muratore/Lang, unan.) confirming report,
assessing costs and directing method of collection.
(Finance to handle)

BLOCK 12950 SUNRISE/HAMPSHIRE-FLOYD

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Lloyd Hughes <u>ACTION:</u> Res. 85-677 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	1	\$582.72
Richard L. Skidmore <u>ACTION:</u> Res. 85-678 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	2	406.21
Jerry S. Applegate <u>ACTION:</u> Res. 85-679 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	3	467.42
Everett Graham <u>ACTION:</u> Res. 85-680 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	Por.	470.20
John Bell, III <u>ACTION:</u> Res. 85-681 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	4	495.98
Anthony R. Sciabica <u>ACTION:</u> Res. 85-682 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	5	468.37

Charles L. Delhart	6	481.67
<u>ACTION:</u>	Res. 85-683 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Keith N. Decker	7	340.78
<u>ACTION:</u>	Res. 85-684 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Robert D. Claflin	8	355.31
<u>ACTION:</u>	Res. 85-685 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
John F. Tomas	9	715.48
<u>ACTION:</u>	Res. 85-686 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Gene E. Ford	10	572.57
<u>ACTION:</u>	Res. 85-687 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Marilyn Dias	11	472.98
<u>ACTION:</u>	Res. 85-688 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Marjorie C. Vent	12	428.00
<u>ACTION:</u>	Res. 85-689 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
James H. Wilson	Por.	679.98
<u>ACTION:</u>	Res. 85-690 adopted (Muratore/Lang, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)	
6.	Hearing to consider application of Linda Chilles for an unclassified use permit for a private elementary school in the R-1 zone, property located at the southeast corner of Veneman Avenue and Hahn Drive.	
<u>ACTION:</u>	Res. 85-691 adopted (Patterson/Lang, unan.) approving unclassified use permit. (Planning to handle)	

BIDS

7. Consider acceptance of D & R Construction's contract for the strengthening of the water system on 9th Street between "K" and "L".
Original contract: \$48,329.50
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting as complete needed. Final cost: \$50,379.60; funds are budgeted.)
(Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: Res. 85-692 adopted (Lang/Muratore, unan., Whiteside and Mayor Mensinger absent) accepting as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

8. Letter from Mary Orozco concerning a housing problem.

ACTION: By order of the Chair, Planning and Community Development asked to see if some assistance could be obtained for Mrs. Orozco.
(Planning to handle)

CONSENT

9. Consider letter from Culture Commission regarding historical documents.
(The Culture Commission recommends a committee be appointed to come up with specific recommendations on this matter. Memo with agenda. Motion approving recommendation needed.)

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

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

Col. Van Dyken discussed problems concerning portable toilets, opening newly-paved streets for repairs, and drive-over curbs.
(Engineering to handle)

NEW BUSINESS

11. Consider recommendation of Council Solid Waste Committee that the City of Modesto support Stanislaus County's position on the Fink Road Landfill.
(Memo with agenda. Motion approving recommendation needed.)

Gardner Hutchins, County Administrator, withdrew the request for support.

CONSENT

12. Consider approval of request by United Way to erect a goal sign on the lawn of the King-Kennedy Memorial Center.
(United Way of Stanislaus is requesting permission to erect a sign on the lawn of King-Kennedy Memorial Center during their campaign. Staff recommends approval. Memo with agenda. Resolution approving request needed.)

ACTION: Res. 85-693 adopted approving request. (P/R to handle)

CONSENT

13. Consider approval of City-County cooperative agreement for canal crossing of MID Lateral No. 6 at Tully Road.
(The County has signed the agreement for widening of the canal crossing at Lateral 6 and Tully Road. The project is of mutual benefit to the City and County. Resolution approving agreement needed.)

ACTION: Res. 85-694 adopted approving agreement. (Eng to handle)

CONSENT

14. Consider approval of agreement between the City and Cal-Western Life Insurance Company for specific stop-loss insurance for self-insured health coverage.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-695 adopted approving agreement. (Mgmt Services to handle)

CONSENT

15. Consider creation of a position and classification for Solid Waste Program Manager in the Utility Services Department.
(Memorandum with agenda. Resolution revising Position Classification Plan needed, resolution amending alphabetical listing of classifications in salary resolution needed, and resolution approving appropriation transfer needed. Estimated cost remainder of fiscal year 1985-86: \$31,825.)

ACTION: Res. 85-696 adopted amending position classification.

Res. 85-697 adopted amending salary schedule.

Res. 85-698 adopted approving appropriation transfer.
(Management Services/Finance to handle)

CONSENT

16. Resolution certifying review of environmental assessment - Omni 8. (The City Council introduced Ord. No. 2356-C.S. amending the Zoning Regulations on July 9, 1985, and adopted it on July 23, 1985. While four environmental assessments were distributed to the Council, the customary resolution certifying review as not approved. Recommend approval.

The four were as follows:

- EA 84-76 Amendment to Title X, Planning and Zoning of the Municipal Code (Omni 8)
- EA 85-4 Zoning Code Text Amendments, Sign Regulations Update (Omni 8 add-on 1)
- EA 85-12 Code Text Amendment regarding Satellite Antennas in Residential Areas, (Omni 8 add-on 2)
- EA 85-36 Code Text Amendment regarding Satellite Antennas in Nonresidential Zones (Omni 8 add-on 3)

(Resolution certifying review of environmental assessment needed.)

ACTION: Res. 85-699 adopted certifying review of Environmental Assessment. (Clerk/Planning to handle)

CONSENT

17. Consider increasing the City of Modesto's parking fines. (Memo with agenda. Resolution increasing parking fines needed.)

ACTION: Res. 85-700 adopted increasing parking fines. (Police to handle)

CONSENT

18. Consider request for water service to property outside City limits at 302 E. Hatch Road, located on the south side of Hatch between Crows Landing Road and Jim Way. Owner: Ignacio Godinez (The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-701 adopted approving agreement. (Eng to handle)

CONSENT

19. Consider abandonment of an approximately 5-foot wide strip of excess right of way for Woodland Avenue at Block 5901 of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning the 5-foot strip of right of way at Block 5901 needed.)

ACTION: Res. 85-702 adopted abandoning right of way. (Eng to handle)

20. Consider revisions to insurance requirements for Dial-A-Ride.
(Memo with agenda. Our Dial-A-Ride contractor will not be able to meet the City's insurance requirements after August 31, 1985. The insurance requirements must be revised if contractor obtains new insurance or the Dial-A-Ride must be terminated if he does not. Staff will update this situation at the Council meeting.)

ACTION: By motion (Patterson/Lang, unan.) this matter continued to
September 3, 1985. (Clerk to handle)

MISCELLANEOUS

21. Appointments

Mayor Mensinger announced the appointment of Councilmembers Patterson and Whiteside as a special committee for International Relations Plan.

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

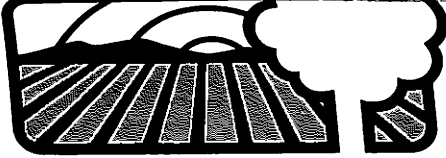
ACTION: Res. 85-703 adopted (Whiteside/Sutton, unan.) appointing Stan Yamamoto as Acting City Attorney during the City Attorney's absence.

By motion (Sutton/Bright, unan.) approved recommendations proposed in Councilmember Sutton's memo and authorized the Mayor to call a meeting of representatives of the cities in the County and of the County concerning mutual problems. (Manager to handle)

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 3, 1985, AT 4:00 P.M.

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

Councilmember Muratore arrived at 4:00 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Benjamin Meyer, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the August 27, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of revisions to insurance requirements for Dial-A-Ride. (Continued from August 27, 1985, Council meeting.)
(A report will be made at the meeting.)

ACTION: Res. 85-704 adopted (Sutton/Whiteside, unan.) approving an amendment to the agreement reducing the amount of insurance required to \$5,000,000. (P/T to handle)

CONSENT

4. Final adoption of Ord. No. 2362-C.S. authorizing an amendment to the contract between the City and PERS.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2362-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider amendment to Sec. 7-3-9 of the Zoning Map to rezone from R-1 to P-D(382), property located on the southeast corner of Standiford Avenue and Shawnee Drive. (Clifford Curry)

ACTION: By motion (Whiteside/Muratore, unan.) Ord. No. 2366-C.S. introduced.
Res. 85-705 adopted (same vote) approving plan.
Res. 85-706 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider appeal of Mid-Valley Church and School to a Planning Commission decision denying an application to rezone from C-2 to P-D to allow use of an existing commercial building for a church and school facility, property located at 1013 10th Street.

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2367-C.S. introduced.
Res. 85-707 adopted (same vote) approving plan.
Res. 85-708 adopted (same vote) certifying review of Environmental Assessment.
By motion (Muratore/Whiteside, unan.) the P-D is to expire on June 30, 1987, and staff directed to ask ABC not to deny licenses to owner of bars in the area because of the proximity of the school and church. (Clerk/Planning to handle)

7. Hearing to consider amendments to the Conflict of Interest Codes of the Utility Services Department to add the Assistant Director of Utility Services and Administrative Assistant positions, and of the Finance Department to add the Senior Accountant position.

ACTION: Res. 85-709 adopted (Whiteside/Sutton, unan.) amending Conflict of Interest Code for Utility Services Dept.

Res. 85-710 adopted (same vote) amending Conflict of Interest Code for Finance Dept. (Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the Floyd Avenue water line extension.
(Suggested bid opening: September 24, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,092 (contract \$23,265; engineering & cont. \$2,827); funds are budgeted.)

ACTION: Res. 85-711 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approval of award of contract for commercial alley paving - Project No. 4.
(Bids were opened on August 27, 1985. The low bid of \$75,780, submitted by Smartt Construction, is 8.10% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Smartt Construction. Memo and bid tab with agenda. All pavement will be concrete. Resolution awarding contract to Smartt Construction needed. Funds are budgeted.)

ACTION: Res. 85-712 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for street light modernization - 9th Street from "B" to "P" Street.
(Bids were opened on August 27, 1985. The low bid of \$187,781, submitted by M & M Electric, is 4.32% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to M & M Electric needed. Funds are budgeted.)

ACTION: Res. 85-713 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the reroofing of the American Legion Hall.
(Bids were opened on August 27, 1985. The low bid of \$21,517, submitted by Sierra Roofing, is 6.63% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Sierra Roofing needed. Funds are budgeted.)

ACTION: Res. 85-714 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider award of contract for the water line extension in Vintage Drive. (Bids were opened on August 27, 1985. The low bid of \$18,230, submitted by Bond Construction, is 1.28% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Bond Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 85-715 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider declaring Photo and Sound Company low bidder and authorize the purchase of one IBM Personal Computer for the total amount of \$5,662.52. (Memorandum with agenda. Resolution authorizing purchase of IBM Personal Computer from Photo and Sound needed. Funds are budgeted.)

ACTION: Res. 85-716 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider acceptance of Howell Construction's contract for the construction of metal storage building at Fire Station No. 4. (Original contract and final cost: \$28,375.20)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as completed needed. Funds are budgeted.)

ACTION: Res. 85-717 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Lang's Enterprises' contract for the installation of air conditioning system at McHenry Mansion. (Original contract: \$78,078)
(All work on this project has been completed to the satisfaction of the Engineering Department and Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$79,898; funds are budgeted.)

ACTION: Res. 85-718 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

CONSENT

17. Consider request for sewer service to property outside City limits at 501 Meta Court, located on the west side of Meta Court between Ada Street and Encina Avenue. (Owners: Lonnie L. and Nellie M. Culver)
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-719 adopted approving agreement. (Utility Serv to handle)

CONSENT

18. Consider approving lease agreement with Pacific Aircraft Services, Inc. for the lease of Hangar No. 3 at the airport.
(This is a one-year renewal of an existing lease. All terms remain the same. Rent is established by resolution of the Council and is currently \$362/month. Pacific Aircraft operates an airplane repair service. Resolution approving agreement needed.)

ACTION: Res. 85-720 adopted approving agreement. (Utility Serv to handle)

CONSENT

19. Consider approving lease agreement with Sam Randy for lease of the Hughson Hotel parking lot, Lot 32.
(Memo with agenda. Original lease expired without being activated. Lease is to be for up to six months at \$200/month. Lot is to be used during the refurbishing of the Hughson Hotel. Resolution approving lease agreement needed.)

ACTION: Res. 85-721 adopted approving lease. P/T to handle)

CONSENT

20. Consider traffic changes at Standiford-Sisk-Dale intersections.
(Memo with agenda. An extensive reconstruction-redesign is recommended. Alternatives are considered. Referral to the Planning Commission is recommended. Motion referring to Planning Commission for report and recommendation needed.)

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

CONSENT

21. Consider abandonment of a portion of the 11-foot water line easement in Lot 17 of Block 13062 of Bloomfield No. 3 subdivision.
(Memo with agenda. Resolution vacating and abandoning a portion of the 11-foot water line easement in Lot 17 of Block 13062 needed.)

ACTION: Res. 85-722 adopted abandoning portion of easement.
(Eng to handle)

CONSENT

22. Consider referring the abandonment of a portion of Chestnut Street and Madison Street adjacent to the City's Corporation Yard to the Planning Commission.
(The portion of Chestnut Street and Madison Street needs to be abandoned in order to continue the rebuilding and expansion of the Corporation Yard. Specifically, the area in question will be used to place a trash compactor at the west end of Chestnut Street. Memo with agenda. Motion referring to Planning Commission needed.)

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

CONSENT

23. Draft Urban Water Management Plan.
(AB 797 requires preparation of an Urban Water Management Plan for the City of Modesto. Submitted is a draft copy of our plan for Council consideration. Council will be asked at the September 10, 1985, meeting to provide further direction to staff. Memo with agenda. Motion acknowledging receipt of report for review needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Opposing

AB 859 (Sher) - Water

SB 1273 (Lockyer) - Workers' Compensation

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

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

25. Appointments

None

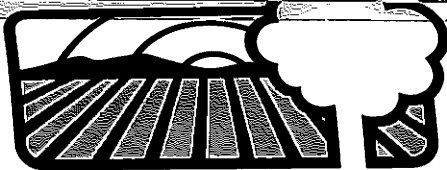
26. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:27 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 10, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Jim Talley, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25

Dropped from agenda: 13
ACTION: (Lang/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 3, 1985, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2366-C.S. rezoning from R-1 to P-D(382) property located on the southeast corner of Standiford Avenue and Shawnee Drive. (Clifford Curry)
- b. Ord. No. 2367-C.S. rezoning from C-2 to P-D property located at 1013 10th Street. (Mid-Valley Church and School)

(Motion adopting needed.)

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

4. Draft Urban Water Management Plan submitted to Council for discussion and direction to staff.
(AB 797 requires preparation of an Urban Water Management Plan for the City of Modesto. On September 3, 1985, Council received a draft version of this plan. Action required on September 10, 1985, includes discussion of issues addressed in the plan and direction to staff on needed amendments. Motion directing staff to amend report as needed and prepare final draft for public hearing needed.)

ACTION: By motion (Muratore/Patterson, unan.) draft report accepted and staff directed to proceed with the final report.
(Utility Services to handle)

HEARINGS

5. Hearing to consider appeal of Grandy's Restaurant to a Planning Commission decision denying proposed curb cuts and traffic flow design in their application for a conditional use permit in the H-1 Zone to allow a restaurant with drive-thru service located at the southeast corner of McHenry and Norwegian Avenues.

ACTION: Res. 85-723 adopted (Patterson/Sutton, majority, Bright, Lang and Muratore-no) granting appeal and approving the requested driveway at the west end of Norwegian. (Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the McHenry Avenue water line extension.
(Suggested bid opening: September 24, 1985, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$32,169 (contract \$28,790; engineering & cont. \$3,379); funds are budgeted.)

ACTION: Res. 85-724 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for bank repair and slope protection at Claus Road outfall structure, Scenic/Lakewood outfall structure and Moose Park. (Suggested bid opening: September 24, 1985, at 11:10 p.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$136,000 (contract \$130,000; engineering & cont. \$6,000); funds are budgeted.)

ACTION: Res. 85-725 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened on October 8, 1985, at 3:10 p.m. for furnishing 40 mobile data terminals and related equipment. (Requested by the Police Department, the data terminals will be installed in patrol cars and will supplant the current method of seeking information using the two-way radios. Resolution approving specifications and call for bids needed. Estimated cost: \$252,580; funds are budgeted.)

ACTION: Res. 85-726 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened on October 8, 1985, at 3:30 p.m. for furnishing seven used detective sedans. (Requested by the Service Division, the cars will be permanently dispatched to the Police Department's Detective Division. Five of the cars are replacements for units presently in service; two are additional equipment. Used cars are specified because of their common appearance and reasonable cost and are usually purchased from Avis, Budget, or National Car Rentals. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$63,000; funds are budgeted.)

ACTION: Res. 85-727 adopted calling for bids. (Finance to handle)

10. Consider seeking bids for a bus bench franchise and for a bus interior advertising space lease. (Memos with agenda. Current five-year bus bench franchise expires 12/31/85. No lease is currently in effect for interior bus advertising space. Lease and franchise would commence 1/1/86 and run five years. Suggested bid opening: October 1, 1985, at 11:00 a.m. Resolution approving specifications and call for bids needed.)

ACTION: Res. 85-728 adopted (Muratore/Sutton, unan.) calling for bids. (P/T to handle)

CONSENT

- 11. Consider accepting and authorizing payment for eight bus passenger shelters.
(Memo with agenda. Ace Aluminum Company has satisfactorily completed furnishing the eight shelters. Four have already been installed and the rest will be installed soon. Resolution accepting and authorizing payment needed. Estimated cost: \$12,975; funds are budgeted.)

ACTION: Res. 85-729 adopted authorizing payment. (P/T to handle)

CONSENT

- 12. Consider final acceptance of Cunningham & Sons, Inc.'s contract for Project No. 15 - replacement of curbs, drive aprons and sidewalks at various locations.
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$57,230.40; funds are budgeted.)

ACTION: Res. 85-730 adopted accepting work as complete. (Clerk to handle)

CONSENT

- 13. Consider waiving formal bid procedures and authorize the purchase of painting services from American Electro-Coatings for the total price of \$6,071.22
(Memorandum with agenda. Resolution authorizing the purchase of painting services from American Electro-Coatings needed. (Five affirmative votes needed.) Estimated cost: \$6,071.22; funds are budgeted.)

Dropped from agenda.

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

None

NEW BUSINESS

CONSENT

- 15. Consider budget adjustment to add Solid Waste Program Administration costs and consider lease agreement with City Mall for office space.
(A budget adjustment is required at this time to include funds for secretarial staffing, office space and furnishings for the Solid Waste Program. Memo with agenda. Resolution amending fiscal year 1985-86 operating budget needed, and resolution approving lease agreement with City Mall needed. Estimated cost: \$\$85,457 (Already budgeted \$32,593; County share \$20,525; reserves \$32,339).

ACTION: Res. 85-731 adopted amending budget.

Res. 85-732 adopted approving lease agreement.
(Utility Services/Finance to handle)

CONSENT

16. Consider approving agreement with Modesto City Schools to reimburse them for costs for an adult crossing guard at Franklin and Maze.
(Memo with agenda. The guard would assist very small school children to operate the signals and to cross Maze, a State highway. Resolution approving agreement needed. Estimated cost: \$900; funds are budgeted.)

ACTION: Res. 85-733 adopted approving agreement. (P/T to handle)

CONSENT

- 17 Consider authorizing City Manager to execute an Indemnity and Hold Harmless Agreement and Release with the City of San Mateo for a motorcycle training course.
(One Modesto Police Officer has been enrolled in the City of San Mateo's motorcycle training course. The City of San Mateo requires the City of Modesto to hold it harmless for the training by execution of a hold harmless agreement. Resolution approving agreement needed.)

ACTION: Res. 85-734 adopted approving agreement. (Police to handle)

CONSENT

18. Consider approval of the final map of Whispering Pines subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Joaquin Construction Co., Inc.
(The subdivision agreement has been signed and all fees paid. Whispering Pines is located east of Emerald Avenue and north of Maze Boulevard. It contains 5.818 acres. Resolution approving final map needed.)

ACTION: Res. 85-735 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider request for water service to property outside City limits at 1413 - 1415 Watts Avenue, located on the east side of Watts Avenue between Shaddox Avenue and Woodland Avenue. (Owner: Raymond Burton Pike)
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City; a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 85-736 adopted approving agreement. (Eng to handle)

CONSENT

20. Consider approving agreement with Zagaris Management Services, Inc. for street improvements on Twin Oak Lane and Lawson Drive.
(Improvement plans for Orchard Gardens subdivision require street improvements on Twin Oak Lane and Lawson Drive adjacent to the Orchard Neighborhood Park site. Developer has requested permission to install these improvements to reduce time delays. An agreement is needed to allow reimbursement for construction costs. It is necessary to transfer \$30,000 which requires a budgetary amendment. Resolution approving agreement needed, and resolution amending the 1985-86 annual budget needed. Estimated cost: \$27,957.40; funds to be budgeted.)

ACTION: Res. 85-737 adopted approving agreement.

Res. 85-738 adopted amending budget. (Eng/Finance to handle)

CONSENT

21. Consider approving agreement with Zagaris Management Services, Inc. for storm sewer installation in Orchard Gardens subdivision. (Improvement plans for Orchard Gardens subdivision and the master storm drainage plan for the Orchard Neighborhood require the installation of a 36-inch storm drain trunk line in Temescal Drive to serve the proposed Orchard Gardens subdivision. Developer has requested permission to install the line to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Resolution approving agreement needed. Estimated cost: \$5,494; funds are budgeted.)

ACTION: Res. 85-739 adopted approving agreement. (Eng to handle)

CONSENT

22. Consider approving agreement with Zagaris Management Services, Inc. for installation of 39-inch sanitary sewer in Dutchollow No. 3 subdivision. (Improvement plans for Dutchollow No. 3 subdivision require installation of a 39-inch sanitary sewer line in Marsala Way. Developer has requested permission to install the line to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Resolution approving agreement needed. Estimated cost: \$34,935; funds are budgeted.)

ACTION: Res. 85-740 adopted approving agreement. (Eng to handle)

CONSENT

23. Renewal of public employees blanket bonds - September 10, 1985, through September 10, 1988. (Memo with agenda. Resolution approving Public Employees Blanket Bonds Insurance renewal needed. Estimated cost: \$4,313; funds are budgeted.)

ACTION: Res. 85-741 adopted approving renewal. (Mgmt Services to handle)

CONSENT

24. Amend the Position Classification Plan and salary resolution to:

- a. Add two new classifications
 1. Public Services Supervisor
 2. Traffic Painter

b. Amend nine classifications

1. Finance Division Manager
2. Lead Traffic Painter
3. Parks Superintendent
4. Public Services Inspector
5. Senior Storeskeeper
6. Storeskeeper
7. Supervising Accountant
8. Systems & Procedures Accountant
9. Warehouse Supervisor

(Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classifications in the Salary Resolution needed.)

ACTION: Res. 85-742 adopted amending position classification.

Res. 85-743 adopted amending salary schedule.
(Management Services to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

Support S. 1570 - Fair Labor Standards Act

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

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

27. Appointments

None

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

Councilmember Whiteside reported on the F.P.P.C. meeting in Sacramento today. Action will not be taken on proposed regulations at least until November.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

ATTEST:


NORRINE COYLE, City Clerk

09/10/85



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 17, 1985, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson,
Sutton, Whiteside, Mayor Mensinger
Councilmember Patterson arrived at 4:05 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 8, 9, 10, 11, 12

ACTION: (Bright/Whiteside, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of special citation for outstanding pedestrian activities program for 1984.
The plaque was presented to the Mayor by David Mendricks, American Automobile Asso.
Mayor Mensinger presented a proclamation to representatives of the Up With People group.

MINUTES

CONSENT

2. Approval of the minutes of the September 10, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

BIDS

CONSENT

3. Consider award of contract for catch basin replacement - various locations.
(Bids were opened on September 10, 1985. The low bid of \$8,800, submitted by Smartt Construction is the same as the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Smartt Construction needed. Funds are budgeted.)

ACTION: Res. 85-744 adopted awarding contract. (Eng. to handle)

CONSENT

4. Consider accepting Morton Blvd. guardrail project as complete.
(Memo with agenda. All work was completed on Friday, August 23, 1985. A Federal Highway Administration grant will cover 90% of the project costs. Work was completed at a cost of \$32,765, 2% under contract amount. Resolution accepting contract as complete needed. Estimated cost \$33,765. Funds are budgeted.)

ACTION: Res. 85-745 adopted accepting contract as complete. (Clerk to handle)

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

Gabe Gamboa spoke about problems with the City trees.

NEW BUSINESS

6. Consider setting election to fill Modesto Board of Education vacancy.
(Memo with agenda.)

ACTION: Res. 85-746 adopted (Bright/Whiteside, unan.) setting special election on February 4, 1986. (Clerk to handle)

7. Consider adoption of a resolution supporting location of Superconducting Super Collider (SSC) within the State of California.
(The University of California, in connection with Stanford University and California Institute of Technology, is seeking to have built in California the world's largest particle accelerator, or atom smasher, called the Superconducting Super Collider. An area south of Sacramento including Stanislaus County is being considered. Memo with agenda. Resolution supporting location needed.)

ACTION: Res. 85-747 adopted (Whiteside/Lang, unan.) supporting location. (Economic Development Director to handle)

CONSENT

8. Consider amendment to agreement with Kennedy/Jenks for continued services on WQC Plant Expansion Project, Units 2 and 3.
(The previous amendment to agreement provided a temporary Project Manager until mid-September, 1985. There is a need to continue those services on the Unit 2-3 Project to November 1, 1985. Memo with agenda. Resolution authorizing City Manager to execute agreement needed. Estimated Cost: \$20,917. Funds are budgeted.)

ACTION: Res. 85-748 adopted approving agreement. (Eng. to handle)

CONSENT

9. Consider approving agreement with Walser Travel Service, Inc. to sell air travel insurance at Airport.
(This is a one-year renewal of an existing lease at the Airport. Walser pays us 5% of the annual gross income with a \$50/year minimum. Resolution approving agreement needed.)

ACTION: Res. 85-749 adopted approving agreement. (Utility Serv. to handle)

CONSENT

10. Consider approving agreement with Nunno Corporation, Ltd. to construct portable hangars at the Airport.
(This agreement allows Nunno to sell and erect twenty-eight portable hangars at the Airport. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-750 adopted approving agreement. (Utility Serv. to handle)

CONSENT

11. Set date for public hearing to consider reversion to acreage of Las Flores Court subdivision.
(By Resolution No. 85-141 adopted on July 15, 1985, the Planning Commission recommended approval of a reversion to acreage of Las Flores Court subdivision, located north of Yosemite Boulevard, west of Las Flores Avenue. The final map has now been submitted for approval. Memo with agenda. It is recommended that the Council set October 1, 1985, at 4:00 p.m. as the time for a public hearing. Resolution setting public hearing needed.)

ACTION: Res. 85-751 adopted setting public hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

12. Legislation: Staff recommends:

- a. Adoption of Resolution - Joint and Several Liabilities
- b. Oppose AB 889 (Harris), General Plan Exemption for Solid Waste Transfer Stations.
- c. Oppose SCA 27 (Seymour), Majority Vote for Local Taxes

(Memos and attachments with agenda. Resolution proposing the League of California Cities initiate Statewide ballot initiative regarding joint and several liability needed, and motion accepting staff recommendation on AB 889 and SCA 27 needed.)

ACTION: Res. 85-752 adopted proposing League of California Cities initiate a Statewide ballot initiative regarding joint and several liability.

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

13. Appointments

None

14.

MATTERS TOO LATE FOR THE AGENDA

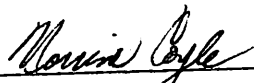
(These may be presented by members of the City Council and staff.)

Vice Mayor Patterson requested further information on the problem with the underground storage tanks.

ADJOURNMENT

The meeting adjourned at 5:17 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 24, 1985, AT 7:30 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Rev. Kathy La Point, First United Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 10, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23A

Removed from Consent: 23B

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 17, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider appeal of Tully Manor Investment Trust Co. to a Planning Commission decision denying an application to rezone P-D(183) and P-0 to a new P-D zone, property located on the south side of Standiford Avenue west of Tully Road.

ACTION: By motion (Bright/Whiteside, majority, Mayor Mensinger-no, Patterson absent) intention indicated to grant the appeal, and staff directed to prepare conditions, to include a provision that no drive-through fast food restaurants will be permitted, and return for final action on October 15, 1985. (Planning to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for water line extension in Shaddox Avenue.
(Suggested bid opening: October 8, 1985, at 11:30 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$33,456 (contract \$28,605; engineering & contg. \$4,860); funds are budgeted.)

ACTION: Res. 85-753 adopted calling for bids. (Eng to handle)

CONSENT

5. Consider approving specifications and authorize call for bids to be opened October 15, 1985, at 3:10 p.m. for furnishing Wang Personal Computers and related equipment.
(Requested by the Police Department, the three personal computers will be assigned to Administrative Services, Crime Analysis and Evidence/Property Divisions. The equipment will not replace any existing computers; their purchase has been approved by the Data Processing Steering Committee. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$16,213.53; funds are budgeted.)

ACTION: Res. 85-754 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened October 15, 1985, at 3:00 p.m. for furnishing general mobile radios.
(Requested by the Garden Refuse, Streets, Electrical and Sewerage Divisions of Utility Services, the radios will serve as both new and replacement equipment. A total of 13 radios will be purchased. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$11,000. Funds are budgeted.)

ACTION: Res. 85-755 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider declaring Consolidated Fabricators low bidder and authorize the purchase of ten sweeper refuse bins from the firm for the total price of \$26,818.
(Memorandum with agenda. Resolution authorizing purchase of sweeper refuse bins needed. Funds are budgeted.)

ACTION: Res. 85-756 adopted authorizing purchase. (Finance to handle)

CONSENT

8. Consider waiving formal bid procedures and authorize the purchase of fire hose from L. N. Curtis for the total price of \$8,730.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of fire hose needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-757 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

10. Letter from Bill Lyons resigning from the Farm-City Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 85-758 adopted accepting resignation with regret.
(Clerk to handle)

11.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Rev. Charles Moore and Juanita Arterbridge spoke about the housing program.

NEW BUSINESS

12. Designation of Voting and Alternate Voting Delegates for the Annual Congress of Cities, December 7-11, 1985, in Seattle, Washington.

ACTION: By motion (Lang/Muratore, unan., Patterson absent) Mayor Mensinger designated as delegate and Councilmember's Whiteside and Sutton designated alternates.
(Clerk to handle)

13. Set hearing for proposed repayment agreement between the City and the Modesto Redevelopment Agency.
(The proposed agreement would commit the Redevelopment Agency to use a portion of its tax increment revenues to help pay for the Community Center project. The agreement and a summary as required by State law will be forwarded to Agency Members and be available for public review on October 1, 1985. Resolution setting hearing October 15, 1985, at 4:00 p.m. needed.) (Councilmember Whiteside and Mayor Mensinger will be excused due to potential conflicts of interest.)

ACTION: By motion (Muratore/Bright, unan., Patterson, Whiteside, and Mayor Mensinger absent) Councilmember Lang chosen as Mayor pro tem.

Res. 85-759 adopted (Sutton/Bright, unan., Patterson, Whiteside, and Mayor Mensinger absent) setting hearing. (Clerk to handle)

CONSENT

14. Consider authorizing the retention of outside legal counsel to handle legal administrative matters for the City of Modesto.
(Memos with agenda. Resolution authorizing the retention of outside legal counsel needed.)

ACTION: Res. 85-760 adopted authorizing retention of legal counsel. (Atty to handle)

CONSENT

15. Consider approval of grant application under the California Parks and Recreational Facilities Act of 1984, Regional Competitive Program, for construction of tennis courts, horseshoe pits and a restroom/facility building at Beyer Community Park.
(Competitive grants are available through this State grant program. Since the above-mentioned project at Beyer Community Park meets the program's criteria, staff recommends application for \$330,000. No local match is required. Resolution authorizing filing of an application needed.)

ACTION: Res. 85-761 adopted authorizing filing of application. (P/R to handle)

CONSENT

16. City Manager's Annual Report of Activities of all departments for fiscal year 1984-85.
(Report with agenda. It is recommended by the City Manager that these reports be accepted as the City Manager's annual report on administrative activities of the City as required by the City Charter. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

17. Consider approving an amendment to the agreement with Stanislaus County Housing Authority to extend the term of agreement for co-administration of the rental rehabilitation program.
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 85-762 adopted approving amendment to agreement. (Planning to handle)

CONSENT

18. Consider budget revisions required to implement the Memorandum of Understanding with the Modesto City Fire Fighters Association.
(Memo with agenda. Resolution amending the Fiscal Year 1985-86 Annual Budget to reflect adjustments relating to the approved Memorandum of Understanding with the Modesto Fire Fighters Association needed.)

ACTION: Res. 85-763 adopted amending Budget. (Finance to handle)

CONSENT

19. Set date for public hearing to allow comment on the Urban Water Management Plan.
(Assembly Bill No. 797 requires that a public hearing be held prior to Council adoption of the Urban Water Management Plan. Revised draft versions of the plan will be available at the Utility Services Office from September 25, 1985, to October 22, 1985. It is recommended that Council set Tuesday, October 22, 1985, at 7:30 as the time for a public hearing. Resolution setting public hearing needed.)

ACTION: Res. 85-764 adopted setting hearing. (Clerk to handle)

CONSENT

20. Presentation of report reflecting the financial status of the City for the year ended June 30, 1985.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

21. Set hearing to amend Section 10-2.608 of the Zoning Regulations pertaining to side and rear yards in the R-2 zone to reinstate the 10-foot setback requirement for two-story portions of multifamily buildings.
(On September 3, 1985, the Planning Commission adopted Resolution No. 85-182 recommending to the City Council an amendment to Section 10-2.608 of the Zoning Regulations pertaining to side and rear yards in the R-2 zone to reinstate the 10-foot setback requirement for two-story portions of multifamily buildings. Resolution setting hearing October 15, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-765 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider approval of program to encourage participation of Disadvantaged Business Enterprises and Women-owned Business Enterprises in Federal Highway Administration funded projects.
(Memo with agenda. Resolution approving program needed.)

ACTION: Res. 85-766 adopted approving program. (Eng. to handle)

MISCELLANEOUS

23. Legislation: (Memos and attachments with agenda. Motion accepting staff recommendations needed.) Staff recommends:

Support

CONSENT

- a. H.R. 3129 (Anderson) - Surface Transportation and Uniform Relation Assistance Act of 1985

ACTION: By motion, staff recommendation approved.

- b. Storm Water Regulation/Legislation - Support exempting municipal storm water discharge from EPA permit requirements.

ACTION: By motion (Sutton/Whiteside, unan., Patterson absent) staff recommendations accepted with the addition of a request for a moratorium on the legislation as requested by the National League of Cities. (Management Services to handle)

- c. By order of the Chair, staff directed to provide information to the Council about recent legislation that would allow mobile home residents to purchase the mobile home park and about the experience of people in Escondido. (Management Services to handle)

24. Appointments

None

25.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 85-767 adopted (Lang/Muratore, unan., Patterson absent) giving permission to Gallo Glass to drill two monitoring wells.

Res. 85-768 adopted (Lang/Muratore, unan., Patterson absent) authorizing the City Manager to enter into a letter agreement with Gallo Glass allowing them to drill two monitoring wells. (Utility Services to handle)

The meeting adjourned to the Redevelopment Agency meeting at 9:40 p.m. and reconvened at 10:30 p.m.

ACTION: Res. 85-769 adopted (Sutton/Lang, unan., Patterson absent) amending the 1985-86 budget to establish a CIP project for clean-up and appropriating up to a maximum of \$300,000 from the Water Fund Reserve to fund the project.

ADJOURNMENT

The meeting adjourned at 10:33 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 1, 1985, AT 4:00 P.M.

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

Absent: None
Councilmember Bright arrived at 4:20 p.m.

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, First Baptist Church

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

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the September 24, 1985, regular City Council meeting.
(Motion approving needed.)

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

HEARINGS

3. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to repeal P-D(299) for a zero lot line patio home subdivision, and rezone to R-1, property located on the north side of Whitmore Avenue west of Crows Landing Road. (Teunissen/Kunzler)

ACTION: By motion (Whiteside/Muratore, unan., Bright absent) Ord. No. 2368-C.S. introduced. (Clerk to handle)

4. Hearing to consider an amendment to Section 5-4-9 of the Zoning Map to repeal P-D(318) for an 8-unit condominium and rezone to R-2, property located on the west side of Roselawn Avenue north of Rouse Avenue. (Frank Dato)

ACTION: By motion (Muratore/Sutton, unan., Bright absent) Ord. No. 2369-C.S. introduced. (Clerk to handle)

5. Hearing to consider an amendment to Section 8-3-9 of the Zoning Map to repeal P-D(302) for a condominium conversion of ten duplexes, and rezone to R-2, property located on Cougar Court south of West Union Avenue. (Rule-Dale)

ACTION: By motion (Sutton/Lang, unan., Bright absent) Ord. No. 2370-C.S. introduced. (Clerk to handle)

6. Hearing to consider reversion to acreage of Las Flores Court subdivision, located north of Yosemite Boulevard, west of Las Flores Avenue.

ACTION: Res. 85-770 adopted (Lang/Muratore, unan.) reverting to acreage.

By motion (Whiteside/Muratore, unan.) staff requested to study this item further and make a recommendation to Council. (Planning to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened October 29, 1985, at 3:00 p.m. for furnishing rechargeable flashlights. (Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$9,010; funds are budgeted.)

ACTION: Res. 85-771 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider rejection of bids for the McHenry Avenue water line extension and approval of plans and specifications and call for bids.
(Memo with agenda. Suggested bid opening: October 15, 1985, at 11:00 a.m.. Resolution rejecting bids and approving plans and specifications and new call for bids needed. Estimated cost: \$33,830 (contract \$30,300; engineering & cont. \$3,530); funds are budgeted.)

Res. 85-772 adopted

ACTION: / Rejecting bids and approving new call for bids.

(Eng to handle)

CONSENT

9. Consider rejecting all bids and call for new bids to purchase traffic signal equipment.

(All four bids opened on September 17, 1985, were incomplete in some aspect. The City Attorney recommends rejection. Memo with agenda. Suggested bid opening: November 5, 1985, at 11:00 a.m. Resolution rejecting bids and approving specifications and new call for bids needed. Estimated cost: \$9,600; funds are budgeted.)

ACTION: Res. 85-773 adopted rejecting bids and approving new call for bids.

(P/T to handle)

CONSENT

10. Consider award of contract for bank repair and slope protection at Claus Road outfall structure, Scenic-Lakewood outfall structure and Moose Park.
(Bids were opened on September 24, 1985. The low bid of \$121,990, submitted by Modesto Sand and Gravel, Inc., is 6.16% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Modesto Sand and Gravel, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-774 adopted awarding contract.

(Eng to handle)

CONSENT

11. Consider award of contract for the Floyd Avenue water line extension.
(Bids were opened on September 24, 1985. The low bid of \$25,290.50, submitted by Clyde Wheeler Pipeline, Inc., is 8.7% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tab with agenda. Resolution awarding contract to Clyde Wheeler Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-775 adopted awarding contract.

(Eng to handle)

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

None

NEW BUSINESS

CONSENT

13. Consider request from the Equal Rights Congress to have a fund raising dinner at King Kennedy Memorial Center.
(The Equal Rights Congress is requesting to have a fund raising dinner for the earthquake victims in Mexico. Current City policy allows only the King Kennedy Board to have fund raising events in the Center. Because of the extraordinary circumstances the Director is asking City Council to ratify her action. Memo with agenda. Resolution approving request needed.)

ACTION: Res. 85-776 adopted approving request. (P/R to handle)

CONSENT

14. Annual report of Affirmative Action of the City of Modesto, 1984-85.
(Memorandum with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

15. Consider approving lease agreement with Roger L. and Mary A. Gish for the lease of Aqueduct Park site.
(This is a one-year renewal of an existing lease. This 5+ acre parcel is planted in almonds. The Gishs pay us 25% of the gross value of the crop. No change in terms. Resolution approving agreement needed.)

ACTION: Res. 85-777 adopted approving agreement. (Utility Serv to handle)

CONSENT

16. Consider extending negotiations period with Modesto Airpark Development Group for the Airport restaurant-motel project for two months.
(The original time frame for negotiating an agreement for development at the airport was April 9 to October 8, 1985. A decision was made to get an appraisal before negotiations got too far along. This process took approximately two months. Staff recommends extending the period two months to December 8, 1985. Memo with agenda. Resolution authorizing extending negotiating period needed.)

ACTION: Res. 85-778 adopted authorizing extending negotiating period.
(Utility Services to handle)

CONSENT

17. Consider approving request for direct City assistance for Modesto Bee/Omega Nu Modesto Mile on October 6, 1985.
(Memo with agenda. Resolution approving request for direct City assistance needed. Estimated cost: \$105; funds are budgeted.)

ACTION: Res. 85-779 adopted approving request. (Police to handle)

MISCELLANEOUS

18. Appointments

None

19.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: Res. 85-780 adopted (Lang/Sutton, unan.) setting hearing on October 15, 1985, at 4:00 p.m. to consider an appeal to a Planning Commission decision concerning the tentative subdivision map for Bluff Creek Estates. (Clerk to handle)

Mike Herrero presented copies of a memo concerning tax increment financing, trust agreement and lease agreement that will be discussed at a hearing on October 15, 1985.

20. Closed session to consider Putney vs. City of Modest.

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

ADJOURNMENT

The meeting adjourned to closed session at 4:27 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

October 8, 1985

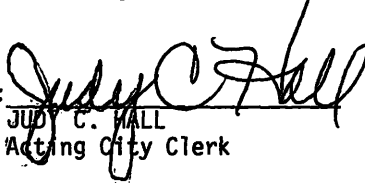
The meeting of the City Council was called to order at 7:30 p.m. in the City Council Chambers, City Hall, Modesto, California, by the Acting City Clerk.

Present: None

Absent: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

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

ATTEST:


JUDY C. HALL
Acting City Clerk

10/8/85



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 15, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Bud Stone, Bishop of the Fifth Ward of the Church of Jesus Christ of Latter Day Saints

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 25, 27, 28, 29, 30, 31, 32, 33, 34, 35

ACTION: (Sutton/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the October 1, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Status report on efforts of Curtains Up '88.
(Chairman Delmar Tonge will present a report on the organizational efforts to date.)

Dr. Delmar Tonge, President of the newly formed Modesto Arts Foundation, reported on the status of efforts to finance the performing arts complex of the Community Center. No action taken.

5. Conditions of approval for P-D zoning - Tully Road Investment Group.
(On September 24, 1985, intent was indicated to grant the appeal of Tully Manor Investment Trust Co. to a Planning Commission decision denying an application to rezone P-D(183) and P-0 to a new P-D, property located on the south side of Standiford Avenue west of Tully Road. Ordinance approving rezoning needed, resolution granting appeal and approving development plan needed, and resolution certifying review of environmental assessment needed.)

ACTION: By motion (Lang/Muratore, majority, Mensinger-no) Ord. No. 2371-C.S. introduced.

Res. 85-781 adopted (same vote) granting appeal and approving development plan.

Res. 85-782 adopted (same vote) certifying review of environmental assessment. (Clerk/Planning to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2368-C.S. repealing P-D(299) and rezoning to R-1, property located on the north side of Whitmore Avenue west of Crows Landing Road.
- b. Ord. No. 2369-C.S. repealing P-D(318) and rezoning to R-2, property located on the west side of Roselawn Avenue north of Rouse Avenue.
- c. Ord. No. 2370-C.S. repealing P-D(302) and rezoning to R-2, property located on Cougar Court south of West Union Avenue.

(Motion adopting needed.)

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

HEARINGS

7. Hearing to consider amendment to Zoning Regulations pertaining to side and rear yards in the R-2 zone to reinstate the 10-foot setback requirement for two-story portions of multifamily buildings.

ACTION: By motion (Muratore/Sutton, unan.) Ord. No. 2372-C.S. introduced.

Res. 85-783 adopted (same vote) certifying review of environmental assessment. (Clerk to handle)

8. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Jack Horn, to a Planning Commission decision regarding a tentative subdivision map of Bluff Creek Estates.

ACTION: Res. 85-784 adopted (Muratore/Whiteside, unan.) granting appeal. (Clerk to handle)

9. Public hearing on the use of tax increment from the Modesto Redevelopment Project to help fund the Modesto Community Center and approval of a resolution approving and directing execution of a repayment agreement with the Redevelopment Agency.
(Memo with agenda.)
(Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.)

ACTION: Res. 85-785 adopted (Lang/Bright, majority, Patterson-no, Whiteside and Mayor Mensinger absent) approving repayment agreement. (Manager to handle)

By motion (Muratore/Lang, unan., Whiteside and Mayor Mensinger absent) meeting recessed to Redevelopment Agency meeting at 6:10 p.m. City Council meeting reconvened at 6:15 p.m.

- 9A. Consider adoption of resolution approving lease of land and Community Center improvements from the Redevelopment Agency, approving the form of the lease, Trust Agreement, Remarketing Agreement and Reimbursement Agreement relating to the financing of such land and improvements, approving form of Official Statement and sale of not to exceed \$21,800,000 Certificates of Participation (Purchase Agreement) and approving related documents and official action.
(Memo with agenda. Resolution needed.)
(Councilmember Whiteside and Mayor Mensinger excused due to potential conflicts of interest.)

ACTION: Res. 85-786 adopted (Muratore/Sutton, majority, Patterson-no, Whiteside and Mayor Mensinger absent) approving agreements. (Manager to handle)

By motion (Lang/Sutton, unan., Whiteside, Mayor Mensinger absent) meeting recessed at 6:45 p.m. to Redevelopment Agency meeting and reconvened at 6:55 p.m.

BIDS

10. Consider setting a public hearing for the award of a bus bench franchise and consider award of an agreement to lease interior advertising space on Intracity Transit's buses.
(Memo with agenda. The current franchise expires December 31, 1985, and no agreement currently exists for leasing interior advertising space. It is recommended that a hearing be set for November 5, 1985, to consider awarding a bus bench franchise and that the lease be awarded on the same date. Resolution setting hearing November 5, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-787 adopted (Whiteside/Muratore, unan.) setting hearing.
(Clerk to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for water line extension on McHenry Avenue, 300 feet south of Hetch Hetchy to north of M.I.D. Lateral No. 6.
(Suggested bid opening: October 29, 1985, at 11:00 a.m. Resolution approving plans and specifications and bid call needed. Estimated cost: \$61,525 (contract \$54,125; engineering & cont. \$7,400); funds are budgeted.)

ACTION: Res. 85-788 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened November 5, 1985, at 3:00 p.m. for furnishing one hydraulic tool system with utility truck body.
(Requested by the Service Division, the tool system and truck body will be installed on an existing 3/4-ton truck. The entire unit will be used by the Street Division for street maintenance. Resolution approving specifications and authorize call for bids. Estimated cost: \$10,100; funds are budgeted.)

ACTION: Res. 85-789 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider award of contract for the construction of Shaddox Avenue water line.
(Bids were opened on October 8, 1985. The low bid of \$33,662, submitted by Bond Construction is 17.8% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Bond Construction Co. Memo and bid tabulation with agenda. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 85-790 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider acceptance of George Reed, Inc.'s contract for the Dry Creek bike trail and water line. (Original contract: \$86,900)
(All work on this project has been completed to the satisfaction of the Engineering and Planning Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$85,985.08; funds are budgeted.)

ACTION: Res. 85-791 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of George Reed, Inc.'s contract for Mancini Park/Westside Park resurfacing of pathways. (Original contract: \$37,563)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$39,640.61)

ACTION: Res. 85-792 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of Bond Construction's contract for the water line replacement in Block 336. (Original contract: \$25,200)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$23,010; funds are budgeted.)

ACTION: Res. 85-793 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider waiving formal bid procedures and authorize the purchase of parts and installation services from the Environmental Equipment Corporation to upgrade wheelchair lifts on nine buses.
(Memo with agenda. The wheelchair lifts on nine 1983 Gillig buses should be upgraded to ensure passenger safety. Parts and installation will cost \$683.64 per bus for a total of \$6,152.76 for all nine buses. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-794 adopted waiving formal bid procedures. (P/T to handle)

Councilmember Bright excused at 7:15 p.m.

WRITTEN COMMUNICATIONS

18. Letter from Joe Caravelli concerning Yosemite Banquet Room, March of Dimes and Bingo.

ACTION: By motion (Whiteside/Sutton, unan.) staff directed to investigate problem and report back to Council. (Citizen Info Servs to handle)

19. Application for Direct City Assistance and City Financial Assistance from Cameron M. McCune, United Nations Day Celebration.

ACTION: By motion (Whiteside/Lang, unan.) permission was granted to hold the celebration as in the past with no monetary contribution nor City vehicle to be provided. (P/R to handle)

CONSENT

20. Request from the Downtown Improvement District for the use of downtown sidewalks for selling merchandise on October 16 through 19th for a Downtown Sidewalk Sale.
(Motion approving request needed.)

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

CONSENT

21. Letter from Ernest D. Garcia resigning from Human Relations Commission.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 85-795 adopted accepting resignation. (Clerk to handle)

CONSENT

22. Letter from Sherry Martin resigning from Farm/City Advisory Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 85-796 adopted accepting resignation. (Clerk to handle)

23.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

A request to use Tuolumne River Regional Park for a celebration referred to the TRRP Committee.

Councilmember Lang excused at 7:50 p.m.

A request was made by Lew Friedman, representing G.O.A.L., that the Council institute additional campaign reporting requirements, and asking for voluntary additional reporting by candidates for the November 5, 1985 election.

By motion (Whiteside/Sutton, unan., Bright and Lang absent) Council endorsed the additional voluntary report on the Thursday prior to the election.

NEW BUSINESS

24. Request for City Council support of a Multifamily Mortgage Revenue Bond inducement resolution for the Orchard Grove Apartments.
(The bonds will be handled by the Stanislaus County Housing Authority. The question is one of timing. The applicant desires expression of support now so that ongoing costs can be captured for bond reimbursement and so that sufficient lead time exists for completion by a possible January 1, 1986, cut-off date. Staff urges consideration after public hearing and action on a revised P-D for the project in early November. Motion deferring matter until after rezoning hearing needed, or resolution expressing support to the Stanislaus County Housing Authority needed.)

ACTION: By motion (Muratore/Patterson, unan., Bright and Lang absent) this item continued to November 5, 1985. (Clerk to handle)

Councilmember Patterson excused at 7:55 p.m.

CONSENT

25. Consider excusing the Mayor and the City Councilmembers for being absent from the October 8, 1985, City Council meeting due to their attendance at the annual League of California Cities Conference.
(Motion excusing absences needed.)

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

26. Consider approving lease agreement with Modesto High School District of Stanislaus County for the lease of the former Doidge property - Dry Creek Park.
(This is a one-year lease. The High School District will pay us \$300 for the year. The property will be used by the Future Farmers of America (FFA) for their projects. Resolution approving agreement needed.)
(Councilmember Lang will be excused due to a conflict of interest.)

ACTION: Res. 85-797 adopted (Sutton/Whiteside, unan., Bright, Lang, Patterson absent) agreement approved. (Utility Serv to handle)

CONSENT

27. Consider modifying speed limits on various streets.
(Memo with agenda. Proposed are one revised radar-enforceable limit, one new radar-enforceable limit, one new non-radar limit. Six existing radar-enforceable limits are renewed unchanged. Introduction of an ordinance needed. Estimated cost: \$600; funds are budgeted.)

ACTION: By motion, Ord. No. 2373-C.S. introduced. (Clerk to handle)

CONSENT

28. Consider approval of LAFCO Questionnaire indicating no opposition to the El Vista No. 4 Governmental Reorganization.
(Proponents propose annexation of the approximately 77.614 acre County island bounded by El Vista Avenue, Currey Avenue, Edgebrook Drive, and Roble Avenue. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to proposed Governmental Reorganization needed.)

ACTION: Res. 85-798 adopted responding favorably to reorganization.
(Planning to handle)

CONSENT

29. Consider approval of LAFCO Questionnaire indicating no opposition to the Hatch Road No. 3 Governmental Reorganization.
(Proponents propose annexation of approximately 12.5 acres located along the north side of Hatch Road west of Crows Landing Road. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to proposed Governmental Reorganization needed.)

ACTION: Res. 85-799 adopted responding favorably to reorganization.
(Planning to handle)

CONSENT

30. Consider approval of LAFCO Questionnaire indicating no opposition to the Sylvan Avenue No. 4 Governmental Reorganization.
(Proponents propose annexation of approximately 19.6 acres located on the north side of Sylvan Avenue west of Oakdale Road. Submission of a questionnaire to LAFCO with application is necessary. Memo with agenda. Resolution responding favorably to proposed Governmental Reorganization needed.)

ACTION: Res. 85-800 adopted responding favorably to reorganization.
(Planning to handle)

CONSENT

31. Consider approval of the final map of Orangeburg Gardens Unit No. 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdivider: James Horn Construction.
(The subdivision agreement has been signed and all fees paid. Orangeburg Gardens Unit No. 1 is located on the north side of East Orangeburg Avenue and west of Claus Road. It contains 14.360 acres. Resolution approving final map needed.)

ACTION: Res. 85-801 adopted approving final map.
(Clerk to handle)

CONSENT

32. Consider authorizing the City Manager to sign a revokable permit between the City of Modesto and Hetch-Hetchy Water and Power for the placement of an 80-foot wide roadway with walkways and appurtenances at Prescott Road across Hetch Hetchy Parcel No. 671.
(This construction is located at the southwest corner of Standiford and Prescott and adjacent to Hetch-Hetchy. Memo with agenda. Resolution authorizing City Manager to sign permit needed.)

ACTION: Res. 85-802 adopted authorizing revokable permit. (Eng to handle)

CONSENT

33. Consider setting public hearing to authorize filing for Federal transit operating grants for fiscal year 1985-86.
(Memo with agenda. The grants will cover \$1,247,232 of the estimated \$3,084,464 operating cost of Intracity Transit and Dial-A-Ride during fiscal year 1985-86. Transportation Development Act funds, passenger fares, and bus bench revenues will cover the remaining costs. Resolution setting hearing November 5, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-803 adopted setting hearing. (Clerk to handle)

CONSENT

34. Fixed assets and Revolving Fund annual inventory report.
(The City Charter requires that an annual physical inventory of all City property be taken. The inventory has been completed, and a report is included with the agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

35. Consider amendment to agreement with Municipal Code Corporation.
(The amendment is necessary to provide for changing the size of the Municipal Code pages from 6 x 9 inches to the new 8-1/2 inch page size. Resolution approving amendment to agreement needed. Estimated cost for reformatting Zoning Title X: \$20.50 per printed page. Funds are budgeted.)

ACTION: Res. 85-804 adopted approving amendment. (Clerk to handle)

MISCELLANEOUS

36. Appointments

ACTION: Res. 85-805 adopted (Whiteside/Muratore, unan., Bright, Lang, Patterson absent) appointing Jerome Jason to the Airport Advisory Committee as a Fixed Base Operator representative.

Res. 85-806 adopted (Whiteside/Muratore, unan., Bright, Lang, Patterson absent) appointing Tom Ciccarelli, Jan Ennenga, Eldon Glenn, Ellen Harvey, Kathy Menghetti, and Paul Wenger to the Farm-City Advisory Committee. (Clerk to handle)

37.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 8:05 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 22, 1985, AT 7:30 P.M

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Charles Moore, St. Luke's Church of the Master

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 11, 12, 13, 14, 16,
Removed from Consent: 19,20 21, 22, 23, 24, 25, 26

ACTION: (Lang/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the October 15, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2371-C.S. amending Sec. Map 7-3-9 of the Zoning Map rezoning from P-D(183) and P-O to P-D(386), property located on the south side of Standiford Avenue west of Tully Road. (Tully Road Investment Group)
(Motion adopting needed.)

ACTION: By motion (Whiteside/Sutton, majority, Mayor Mensinger-no) Ord. No. 2371-C.S. adopted. (Clerk to handle)

CONSENT

4. Ord. No. 2372-C.S. amending Section 10-2.608 of Chapter 2 of Title X of the Modesto Municipal Code relating to side and rear yards in the R-2 zone.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2372-C.S. adopted. (Clerk to handle)

CONSENT

5. Ord. No. 2373-C.S. amending Sections 3-2.1401 and 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits in the City of Modesto.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2373-C.S. adopted. (Clerk to handle)

HEARINGS

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

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to November 19, 1985, at 4:00 p.m. (Clerk to handle)

7. Hearing to consider an amendment to Section 2-3-8 of the Zoning Map to rezone from R-2 to P-D(385) to allow a 36-unit apartment project, property located on the south side of Pelandale Avenue at the east end of Windmill Drive. (Steinpress)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2374-C.S. introduced.

Res. 85-807 adopted (same vote) approving plan.

Res. 85-808 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to R-2 and R-3, property located on the south side of Floyd Avenue west of Roselle Avenue extended. (Hilkey)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2375-C.S. introduced.

Res. 85-809 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

9. Hearing to consider an amendment to Section 20-3-9 of the Zoning Map to repeal P-D(213) and rezone to R-1, property located at 125 Griswold Avenue on the north side of Griswold Avenue west of McHenry Avenue. (Tallent)

ACTION: Res. 85-810 adopted (Patterson/Lang, unan.) granting a one year extension.
(Planning to handle)

10. Hearing to consider the Urban Water Management Plan.

ACTION: Res. 85-811 adopted (Lang/Muratore, unan.) setting November 5, as the date for final action on the plan.
(Utility Services to handle)

BIDS

CONSENT

11. Consider award of contract for the water line extension in McHenry Avenue. (Bids were opened on October 15, 1985. The low bid of \$36,755, submitted by Joe Martin Pipeline, Inc., is 21.3% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 85-812 adopted awarding contract. (Eng. to handle)

CONSENT

12. Consider authorizing the purchase of the following:

- a. One new sedan from Maggini Chevrolet for the total price of \$11,816
- b. Seven used sedans from Avis Rent-A-Car for the total price of \$55,613

(Memorandum with agenda. Resolution authorizing the purchase of one new sedan from Maggini Chevrolet needed, and resolution authorizing the purchase of seven used sedans from Avis Rent-A-Car needed. Estimated cost: \$67,429; funds are budgeted.)

ACTION: Res. 85-813 adopted authorizing purchase from Maggini Chevrolet.

Res. 85-814 adopted authorizing purchase from Avis Rent-A-Car.
(Finance to handle)

CONSENT

13. Consider purchasing twenty-seven Police portable radios and two multi-unit battery chargers from McGee Communications for the total amount of \$50,968.
(Memorandum with agenda. Resolution authorizing the purchase from McGee Communications needed. Funds are budgeted.)

ACTION: Res. 85-815 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider acceptance of Neth Construction's contract for installation of aerators at the City of Modesto pond site. (Original contract: \$205,305) (All work on this project has been completed to the satisfaction of the Engineering and Utility Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$205,612.45; funds are budgeted.)

ACTION: Res. 85-816 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

15. Letter from Fred Ballard and George Schuler concerning County Mobilehome Park Mediation Board.

ACTION: By motion (Lang/Sutton, unan.) staff directed to study further the issues raised and provide the City Council with further information.
(Management Services to handle)

CONSENT

16. Request by Modesto Garbage Co., Inc. that the City Council hold a hearing on November 5, 1985, to consider transferring stock to Empire Waste Management.
(Resolution setting hearing November 5, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-817 adopted setting hearing. (Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

18. Hazardous materials handling.
(The Stanislaus County Board of Supervisors has requested time on the October 22 City Council agenda to discuss the County-wide hazardous materials program. Staff has prepared a report to provide background information. Motion accepting staff recommendation needed.)

No action taken.

19. Consider approval of Draft E.I.R. and final application for designation of industrial portion of Census Tract 25 as an Enterprise Zone, and consider letter of endorsement supporting this application.
(Modesto has been selected as one of 20 areas to submit an application for final designation as an Enterprise Zone. Included in the final application are incentives. The Economic Development office asks for Council concurrence with incentives proposed. The Draft E.I.R. is submitted with the final application. Memo with agenda. Resolution approving Draft E.I.R. and final Enterprise Zone application, and motion directing staff to prepare letter of endorsement needed.)

ACTION: Res. 85-818 adopted (Muratore/Patterson, unan.) approving Draft E.I.R. and final Enterprise Zone application with additional incentives to be provided if specific cases justify.

By motion (same vote) staff directed to prepare letter of endorsement.

(Economic Development Dept. to handle)

20. Consider approving Direct City Assistance for Veteran's Day Parade on November 11, 1985.

(Memo with agenda. Resolution approving request needed. Estimated cost: \$878.27; funds are budgeted.)

ACTION: By motion (Bright/Whiteside, unan.) indicated support providing insurance can be provided. (Police/P.R. to handle)

CONSENT

21. Consider adoption of an ordinance to amend Section 3-2.1509 of the Modesto Municipal Code to allow the City Council to determine from time to time penalties for overtime metered parking and set forth the procedures for payment.

(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2376-C.S. introduced. (Clerk to handle)

CONSENT

22. Consider renewal of agreement with Nancy M. Young to serve as Executive Director, Downtown Improvement District.

(This is the fifth renewal of an existing annual agreement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-819 adopted approving agreement. (Planning to handle)

CONSENT

23. Consider acceptance of improvements in Vintage Faire No. 4 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Joe Trombetta (Vintage Faire No. 4 subdivision is located between Veneman Avenue and Standiford Avenue near Conant Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-820 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

24. Consider amending class specification for Office Clerk with no change in the current salary range.
(Memo with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 85-821 adopted amending Position Classification Plan.
(Management Services to handle)

CONSENT

25. Approve agreement with American Management Systems, Inc. for the purchase of a Position Control Subsystem to the Local Government Payroll System.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 85-822 adopted approving agreement. (Finance to handle)

CONSENT

26. Approve agreement with Transworld Financial Corp. to install a 30" storm drain in Belharbour Drive and establish fee for the benefitted area.
(Memo with agenda. Resolution approving agreement needed, and resolution establishing fee needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 85-823 adopted approving agreement.
Res. 85-824 adopted establishing fee. (Eng. to handle)

MISCELLANEOUS

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Lang/Bright, unan.) continued negotiations with Oxford Energy, Inc., and replacing Brown & Root/Raintree Resource Recovery, Inc., with Ogden Martin Systems, Inc. approved. (Utility Services to handle)

ADJOURNMENT

The meeting adjourned at 10:27 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 5, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Lee Heim, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 56, 37, 38, 39, 40, 41

Removed from Consent: 21, 29

ACTION: (Muratore/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the October 22, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2374-C.S. rezoning from R-2 to P-D(385), property located on the south side of Pelandale Avenue at the east end of Windmill Drive. (Steinpress Development)
- b. Ord. No. 2375-C.S. rezoning from R-1 to R-2 and R-3, property located on Floyd Avenue west of Roselle Avenue. (Arlo and James Hilkey)
- c. Ord. No. 2376-C.S. amending the Municipal Code relating to enforcement of parking meter fines.

((Motion adopting needed.))

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider the appeal of Thom Torvend & Associates, on behalf of David and Cynthia Henry, to a Board of Zoning Adjustment decision denying a variance from the parking regulations pursuant to a medical office at the southeast corner of Coffee Road and East Coolidge Avenue.

ACTION: Res. 85-824 adopted (Whiteside/Lang, majority, Patterson and Mensinger, no) denying appeal.

(Clerk to handle)

5. Hearing to consider the appeal of Allen R. Grant to a Board of Zoning Adjustment decision denying a variance from the 400 foot walking distance limitation of the Municipal Code for common parking spaces to serve a commercial building at the northwest corner of Needham Street and Olive Avenue.

ACTION: By motion, (Lang/Muratore, unan.) this item continued to November 19, 1985, at 4:00 p.m.

(Clerk to handle)

6. Hearing to consider awarding an exclusive 5-year franchise to Debee Loyd Advertising for the right, privilege and permission to place, construct and maintain bus benches with advertising along the streets in the City of Modesto.

ACTION: By motion, (Lang/Sutton, majority, Patterson - no) Ord. No. 2377-C.S. introduced.

Res. 85-825 (same vote) adopted electing to proceed with granting franchise to Debee Loyd Advertising, Inc.

Res. 85-825A (same vote) adopted approving lease of advertising space in City buses. (Clerk to handle)

By motion, (Lang/Sutton, majority, Patterson - no) staff directed to request proposals for another advertising/marketing agent.

(P & T to handle)

7. Hearing to consider authorizing filing for Federal Transit Operating Grants for fiscal year 1985-86.

ACTION: Res. 85-826 adopted (Lang/Sutton, unan.) authorizing filing application for grant under Section 5 of UMTA of 1964 for transit operations for f.y. 1985-86

Res. 85-827 adopted (same vote) authorizing filing application for grant under Section 9 of UMTA of 1964 for public transit operations for f.y. 1985-86)

(P & T to handle)

8. Hearing to consider transfer of stock of Modesto Garbage Co., Inc. to Empire Waste Management.

Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Whiteside/Lang, unan., Sutton absent) Ord. No. 2378-C.S. granting to Empire Waste Management, Inc. a license for garbage collection (Modesto Garbage Co.) introduced.

By motion (same vote) Ord. No. 2379-C.S. granting to Empire Waste Management, Inc. a license for garbage collection (Orangeline) introduced.

Res. 85-828 adopted (same vote) authorizing sale of stock.
(Clerk to handle)

6. Hearing to consider awarding an exclusive 5-year franchise to Debee Loyd Advertising for the right, privilege and permission to place, construct and maintain bus benches with advertising along the streets in the City of Modesto.

ACTION: By motion, (Lang/Sutton, majority, Patterson - no) Ord. No. 2377-C.S. introduced.

Res. 85-825 (same vote) adopted electing to proceed with granting franchise to Debee Loyd Advertising, Inc.

(Clerk to handle)

By motion, (Lang/Sutton, majority, Patterson - no) staff directed to request proposals for another advertising/marketing agent.

(P & T to handle)

7. Hearing to consider authorizing filing for Federal Transit Operating Grants for fiscal year 1985-86.

ACTION: Res. 85-826 adopted (Lang/Sutton, unan.) authorizing filing application for grant under Section 5 of UMTA of 1964 for transit operations for f.y. 1985-86

Res. 85-827 adopted (same vote) authorizing filing application for grant under Section 9 of UMTA of 1964 for public transit operations for f.y. 1985-86)

(P & T to handle)

8. Hearing to consider transfer of stock of Modesto Garbage Co., Inc. to Empire Waste Management.

Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Whiteside/Lang, unan., Sutton absent) Ord. No. 2378-C.S. granting to Empire Waste Management, Inc. a license for garbage collection (Modesto Garbage Co.) introduced.

By motion (same vote) Ord. No. 2379-C.S. granting to Empire Waste Management, Inc. a license for garbage collection (Orangeline) introduced.

Res. 85-828 adopted (same vote) authorizing sale of stock.
(Clerk to handle)

9. Hearing to consider amendment to Section 14-3-9 of the Zoning Map to rezone from P-D(242), allowing a 2-story residential condominium, to a new P-D(387) to allow a multiple-family residential development, property located at the northeast corner of Merle Avenue and Temescal Drive. (H. R. Remington Properties)

ACTION: By motion, Ord. 2380-C.S. (Lang/Sutton, unan.) introduced.

Res. 85-829 adopted (same vote) approving development plan.

Res. 85-830 adopted (same vote) certifying review of Environmental Assessment.

(Clerk to handle)

10. Consider request for City Council support of a Multifamily Mortgage Revenue Bond Inducement Resolution for the Orchard Grove Apartments. (The bonds will be handled by the Stanislaus County Housing Authority. The question is one of timing. The applicant desires expression of support now so that ongoing costs can be captured for bond reimbursement and so that sufficient lead time exists for completion by a possible January 1, 1986, cut-off date. Staff urges consideration after public hearing and action on a revised P-D for the project in early November. Resolution expressing support to the Stanislaus County Housing Authority needed.)

ACTION: Res. 85-831 adopted (Whiteside/Sutton, unan.) expressing support.

(Planning to handle)

11. Consider approving a cooperative agreement between the City of Modesto and the Stanislaus County Housing Authority. (Remington Properties is in the process of conducting a bond issue with the County Housing Authority to finance a 242-unit apartment complex called Orchard Grove located on Merle Avenue. A cooperative agreement between the City and the Housing Authority is necessary because the property is in the City. Resolution approving agreement needed.)

ACTION: Res. 85-832 adopted (Whiteside/Sutton, unan.) approving agreement.

(Planning to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the water line extension in Paradise Road.
Suggested bid opening: November 19, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$52,145 (contract \$46,950; engineering & cont. \$5,195); funds are budgeted.)

ACTION: Res. 85-833 adopted approving plans and specifications.

(Eng to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for crack sealing various City streets, 1986.
(Suggested bid opening: November 20, 1985, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$35,500 (contract \$32,500; engineering & cont. \$3,000); funds are budgeted.)

ACTION: Res. 85-834 adopted approving plans and specifications.

(Eng to handle)

CONSENT

14. Consider award of contract for the water line extension in McHenry Avenue 300 feet south of Hetch Hetchy to north of Modesto Irrigation Lateral No. 6.
(Bids were opened on October 29, 1985. The low bid of \$52,000, submitted by Rolfe Construction, is 2.62% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Rolfe Construction needed. Funds are budgeted.)

ACTION: Res. 85-835 adopted awarding contract. (Eng to handle)

CONSENT

15. Consider declaring Motorola Communications low bidder and authorize the purchase of 40 mobile data terminals for the proposed price of \$215,725, with an additional cost of \$8,745 for software equipment.
(Memorandum with agenda. Resolution authorizing purchase needed. Estimated total cost: \$224,470; funds are budgeted.)

ACTION: Res. 85-836 adopted authorizing purchase. (Finance to handle)

CONSENT

16. Consider declaring California Computer Exchange low bidder and authorize the purchase of three Wang personal computers from the firm for the total price of \$15,044.
(Memorandum with agenda. Resolution authorizing the purchase of Wang personal computers needed. Funds are budgeted.)

ACTION: Res. 85-837 adopted authorizing purchase. (Finance to handle)

CONSENT

17. Consider declaring Air Call Communications low bidder meeting City specifications and authorize the purchase of 13 mobile radios for the total price of \$8,048.
(Memorandum with agenda. Resolution authorizing purchase of mobile radios needed. Funds are budgeted.)

ACTION: Res. 85-838 adopted authorizing purchase. (Finance to handle)

CONSENT

18. Consider acceptance of Clyde Wheeler Pipeline, Inc.'s contract for the water line extension in Marsala Avenue. Original contract: \$20,881.50
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$19,672.50; funds are budgeted.)

ACTION: Res. 85-839 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Pro Builders' contract for the restroom remodeling at Legion Hall. Original contract: \$65,000
(All work on this project has been completed to the satisfaction of the Engineering Department and Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$70,240.07; funds are budgeted.)

ACTION: Res. 85-840 adopted accepting work as complete.
(Clerk to handle)

CONSENT

20. Consider declaring the property and equipment listed on the Surplus Property Listing with agenda as surplus to City needs and authorize the Purchasing Officer to advertise and sell items on a sealed bid basis.
(Memorandum with agenda. Resolution declaring property and equipment surplus to City needs and authorizing sale by sealed bid needed.)

ACTION: Res. 85-841 adopted declaring property and equipment surplus.
(Finance to handle)

WRITTEN COMMUNICATIONS

21. Letter from Gilton Solid Waste Management, Inc., concerning extending its franchise to collect garbage.
(The present franchise expires at the end of the calendar year.
Resolution setting hearing on November 19, 1985, at 4:00 p.m. needed.)

Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 85-842 adopted (Patterson/Lang, unan. Sutton, absent) setting hearing.

(Clerk to handle)

CONSENT

22. Appeal by James H. Welch, on behalf of P & R Enterprises, to a decision of the Planning Commission concerning the Redford Estates tentative subdivision map.
(Resolution setting hearing November 26, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-843 adopted setting hearing.

CONSENT

23. Letter from Modesto Human Relations Commission concerning its role in investigating and mediating complaints and concerns.
(Motion acknowledging receipt of letter needed.)

ACTION: By motion, receipt of letter acknowledged.

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

None

NEW BUSINESS

CONSENT

25. Consider adoption of the City of Modesto 1985 Urban Water Management Plan. (Assembly Bill No. 797 requires adoption of this plan on or before December 31, 1985. It is recommended that Council adopt the final version of this plan. Resolution adopting 1985 Urban Water Management Plan needed.)

ACTION: Res. 85-844 adopted adopting 1985 Urban Water Management Plan.
(Utility Svc to handle)

CONSENT

26. Consider acceptance of improvements in Carmel Woods subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer CDS Development)
(Carmel Woods subdivision is located at the northeast corner of Standiford Avenue and San Clemente Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-845 adopted accepting improvements. (Clerk to handle)

CONSENT

27. Request for refund of \$3,735.63 overpayment of Business License Tax - National Medical Homecare.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-846 adopted approving refund. (Finance to handle)

CONSENT

28. Consider agreement for Legi-Tech Computerized Bill Service.
(Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$3,600; funds are budgeted.)

ACTION: Res. 85-847 adopted approving agreement. (Finance to handle)

29. Consider accepting Grand Street Bridge and authorizing staff to seek permission to demolish it.
(Memo with agenda. The present bridge becomes surplus once the Jennie-Grand route is developed. Because of its historical significance, it's easier to accept the bridge and then try to get permission to demolish it than to try for that permission now and delay the Jennie-Grand project. Resolution accepting the bridge needed, and motion authorizing staff to ask authority to demolish it after Jennie-Grand route is opened.)

ACTION: Res. 85-848 adopted (Sutton/Lang, unan.) accepting the bridge.

(P & T to handle)

CONSENT

30. Consider amending the budget for the replacement of the passenger terminal air conditioning/heating unit that has failed.
(Memo with agenda. Resolution amending the budget needed. Estimated cost: \$3,500; funds are budgeted.)

ACTION: Res. 85-849 adopted amending the budget. (Finance to handle)

CONSENT

26. Consider acceptance of improvements in Carmel Woods subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer CDS Development)
(Carmel Woods subdivision is located at the northeast corner of Standiford Avenue and San Clemente Avenue. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-845 adopted accepting improvements.

(Clerk to handle)

CONSENT

27. Request for refund of \$3,735.63 overpayment of Business License Tax - National Medical Homecare.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-846 adopted approving refund.

(Finance to handle)

CONSENT

28. Consider agreement for Legi-Tech Computerized Bill Service.
(Memorandum with agenda. Resolution approving agreement needed.
Estimated cost: \$3,600; funds are budgeted.)

ACTION: Res. 85-847 adopted approving agreement.

(Finance to handle)

29. Consider accepting Grand Street Bridge and authorizing staff to seek permission to demolish it.
(Memo with agenda. The present bridge becomes surplus once the Jennie-Grand route is developed. Because of its historical significance, it's easier to accept the bridge and then try to get permission to demolish it than to try for that permission now and delay the Jennie-Grand project. Resolution accepting the bridge needed, and motion authorizing staff to ask authority to demolish it after Jennie-Grand route is opened.)

ACTION: Res. 85-848 adopted (Sutton/Lang, unan.) accepting the bridge.

By motion, (same vote) staff authorized to ask authority to demolish
(P & T to handle)

CONSENT

30. Consider amending the budget for the replacement of the passenger terminal air conditioning/heating unit that has failed.
(Memo with agenda. Resolution amending the budget needed. Estimated cost: \$3,500; funds are budgeted.)

ACTION: Res. 85-849 adopted amending the budget.

(Finance to handle)

CONSENT

31. Consider approval of easement on City park property to Pacific Bell. (Pacific Bell is requesting an easement on the easterly side of Elk Park in order to place new underground telephone service cable and remove aerial telephone cable in this area. Resolution approving the granting of an easement needed.)

ACTION: Res. 85-859 adopted approving the granting of an easement.
(P & R to handle)

CONSENT

32. Consider approving lease agreement with Gallo Glass Company for the north 60 feet of Mark Twain Park site. (This is a one-year renewal of an existing lease. All terms remain the same. Gallo needs the property to farm their vineyard next door. The City lets them use it rent-free since it has no irrigation and is not capable of generating rent. The rest of the park site has been rented to someone else. Resolution approving agreement needed.)

ACTION: Res. 85-851 adopted approving agreement.
(Utility Svc to handle)

CONSENT

33. Consider approving lease agreement with Aloma Lackey for the lease of 1343 Legion Park Drive - Parkview Guest Home. (This is the Parkview Guest Home which was purchased for Tuolumne River Regional Park. This is a one-year renewal of an existing lease. Rent remains at \$490 per month. All other terms remain the same. Mrs. Lackey has been leasing the property since 1977. Resolution approving agreement needed.)

ACTION: Res. 85-852 adopted approving agreement.
(Utility Svc to handle)

CONSENT

34. Consider approving lease agreement with Gus J. Papatone for the lease of the Roselle Neighborhood Park site. (Mr. Papatone has been leasing this property from us since we bought it from him in 1983. He is the only one who can use it because of its location. He pays us \$740 per year for this 11-acre site. Resolution approving agreement needed.)

ACTION: Res. 85-853 adopted approving agreement.
(Utility Svc to handle)

CONSENT

35. Consider approving letter agreement with James E. Coleman and Susann A. Coleman to reroof a barn at 536 N. Riverside Drive.
(The Colemans are going to do a major reroofing job on a barn at 536 N. Riverside Drive in return for being able to salvage all material from the barn at the end of their lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-854 adopted approving agreement.
(Utility Svc to handle)

CONSENT

36. Request for refund of \$1,692.11 overpayment of Business Improvement Area Tax - E. F. Hutton Co.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-855 adopted approving refund. (Finance to handle)

CONSENT

37. Request for refund of \$1,478.98 for overpayment of Business Improvement Area Tax by Central Valley Chrysler Plymouth.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-856 adopted approving refund. (Finance to handle)

CONSENT

38. Consider authorizing certain named officers and employees of the City of Modesto to appear on the City's behalf in the Stanislaus County Municipal Court, Small Claims Division.
(Memo with agenda. Supersedes Resolution No. 84-276. Resolution authorizing certain named officers and employees to appear needed.)

ACTION: Res. 85-857 adopted authorizing certain named officers and employees to appear.
(Clerk to handle)

CONSENT

39. Consider approval of the final map of Country Ranch Estates subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
(Subdivider: Bright Development)
(The subdivision agreement has been signed and all fees paid. Country Ranch Estates is located south of Floyd Avenue, east of Oakdale Road. It contains 17.04 acres. Resolution approving final map needed.)

ACTION: Res. 85-858 adopted approving final map. (Clerk to handle)

CONSENT

40. Set date to amend the subdivision regulations to add Sections 4-4.405 and 4-4.526 pertaining to vesting tentative maps.
(On October 21, 1985, the Planning Commission adopted Resolution No. 85-211 recommending to the Council amendments to the Modesto Municipal Code (Subdivision Regulations) to add Sections 4-4.405 and 4-4.526 pertaining to vesting subdivision maps. Resolution setting hearing November 19, 1985, at 4:00 p.m. so that regulations are effective by January 1, 1986, needed.)

ACTION: Res. 85-859 adopted setting hearing. (Clerk to handle)

CONSENT

41. Consider acceptance of improvements in Valley Oak Apartments subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developers: Valley Oak Associates)
(Valley Oak Apartments subdivision is located on the east side of Oakdale Road between Merele Avenue and Floyd Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 85-860 adopted accepting improvements. (Clerk to handle)

MISCELLANEOUS

42. Appointments

None

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

ACTION: Res. 85-861 adopted (Lang/Bright, unan.) determining that candidates for the February 4, 1986, election will pay the cost of candidates statements. (Clerk to handle)

ADJOURNMENT

The meeting adjourned at 7:16 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 12, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Tom Bright

A. Report of Canvass of Votes.

ACTION: Res. 85-862 adopted (Sutton/Whiteside, unan.) confirming canvass of votes.

B. Oath of Office.

Oath of office was administered to Councilmembers Lang, McGrath and Patterson, and Board of Education Members Hollis, Jeans, Neumann and Snyder.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 12,
13, 14, 15, 16, 17

Removed from Consent: 5, 9, 10

ACTION: (Sutton/Whiteside, unan.)

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular meeting of November 5, 1985.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2377-C.S. granting a bus bench franchise to Debee Loyd Advertising, Inc.
(Motion adopting needed.)
Councilmember McGrath excused due to his not being on the City Council when the ordinance was introduced.

ACTION: By motion (Lang/Whiteside, majority, Patterson-no, McGrath absent)
Ord. No. 2377-C.S. adopted. (Clerk to handle)

4. Final adoption of:

- a. Ord. No. 2378-C.S. granting to Empire Waste Management, Inc., a license for the collection of garbage in the City of Modesto.
(Area C)
- b. Ord. No. 2379-C.S. granting to Empire Waste Management, Inc., a license for the collection of garbage in the City of Modesto.
(Area D)

(Motion adopting needed.)
(Councilmember Sutton will be excused due to a conflict of interest.)
Councilmember McGrath excused due to his not being on the City Council when the ordinances was introduced.

ACTION: By motion (Muratore/Patterson, unan., McGrath and Sutton absent)
Ord. No. 2378-C.S. and Ord. No. 2379-C.S. adopted.) (Clerk to handle)

5. Final adoption of Ord. No. 2380-C.S. rezoning from P-D(242 to a new P-D(390), property located at the northeast corner of Merle Avenue and Temescal Drive. (H. R. Remington Properties)
(Motion adopting needed.)
Councilmember McGrath excused due to his not being on the City Council when the ordinance was introduced.

ACTION: By motion (Patterson/Lang, unan., McGrath absent) Ord. No. 2380-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

6. Consider acceptance of the contract of George Reed, Inc. for the Residential Alley Paving Project No. 12. (Original contract: \$97,666.) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$98,712.30; funds are budgeted.)

ACTION: Res. 85-863 adopted accepting work as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of Central Valley Roofing's contract for reroofing fire prevention bureau. (Original contract: \$8,800.) (All work on this project has been completed to the satisfaction of the Engineering Department and Fire Department. It is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$10,173.75; funds are budgeted.)

ACTION: Res. 85-864 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Tara Coating's contract for the coating and insulation of Digester No. 1 at the City of Modesto Water Quality Control Plant. (Original contract: \$64,300.) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$73,744.50; funds are budgeted.)

ACTION: Res. 85-865 adopted accepting work as complete. (Clerk to handle)

9. Consider acceptance of Superior Pipeline's contract for the construction of Sewer Improvement District No. 25. (Original contract: \$1,274,146.) (All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$1,354,560.89; funds are budgeted.)

ACTION: Res. 85-866 adopted (Patterson/Lang, unan.) accepting work as complete. (Clerk to handle)

10. Consider waiving formal bid procedures and authorizing issuing a purchase order to Granite Construction Co. in the amount of \$10,200 to perform pavement reconstruction at the Modesto City-County Airport. (Reconstruction of the pavement adjacent to T-Hangar "F" is required to match the construction grades of a private T-hangar development immediately adjacent. Memo with agenda. Resolution waiving formal bid procedures and authorizing issuing a purchase order needed. (Five affirmative votes required.) Funds are budgeted.)

ACTION: Res. 85-867 adopted (Whiteside/Muratore, unan.) waiving formal bid procedures. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

12. Consider setting hearing concerning the vacation and abandonment of portions of Chestnut and Madison Streets. (On October 21, 1985, the Planning Commission adopted Resolution No. 85-210 recommending to the City Council the vacation and abandonment of portions of Chestnut and Madison Streets. Resolution setting hearing December 3, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-868 adopted setting hearing. (Clerk to handle)

CONSENT

13. Consider setting hearing concerning amending Sections 10-2.603 and 10-2.703 of the Modesto Municipal Code pertaining to residential plot plans. (On October 21, 1985, the Planning Commission adopted Resolution No. 85-212 recommending to the City Council an amendment to Sections 10-2.603 and 10-2.703 of the Municipal Code to reinstate review of residential plot plans which was inadvertently amended to provide such review by the Board of Zoning Adjustment. Resolution setting hearing November 26, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-869 adopted setting hearing. (Clerk to handle)

CONSENT

14. Consider setting hearing concerning amending Section 10-2.1102 of the Zoning Regulations to add fortune telling to the list of uses permitted in the C-2 zone. (On November 4, 1985, the Planning Commission adopted Resolution No. 85-220 recommending to the City Council an amendment to Section 10-2.1102 of the Zoning Regulations to add fortune telling to the list of uses permitted in the C-2 Zone. Resolution setting hearing November 26, 1985, at 7:30 p.m. needed.)

ACTION: Res. 85-870 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider consent to transfer of stock and control in Capital Cities Cable, Inc., to the Washington Post Company.
(Memo with agenda. Resolution consenting to transfer needed.)

ACTION: Res. 85-871 adopted consenting to transfer. (Mgr to handle)

CONSENT

16. Consider approval of the final map of Regency Park No. 2 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.6504(c) of the Modesto Municipal Code.
Subdividers: Beuzekom Beheer, Joseph D. Trombetta and Marvin G. Dole.
(The subdivision agreement has been signed and all fees paid. Regency Park No. 2 is located on the north side of Veneman Avenue at Regency Park Drive. It contains 7.21 acres. Resolution approving final map needed.)

ACTION: Res. 85-872 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

CONSENT

17. Legislation: Staff recommends:

SUPPORT

- a. AB 1000 (McAllister) - Injured Workers' Income Security and Rehabilitation Act.
- b. H.R. 8 - Federal Water Pollution Control Act.

OPPOSE

- c. S. 1128 - Clean Water Act Amendment of 1985.

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

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

18. Appointments

None

- 19.

MATTERS TOO LATE FOR THE AGENDA


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

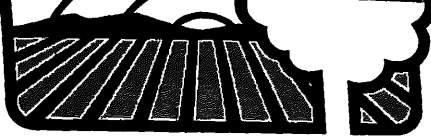
None

ADJOURNMENT

The meeting adjourned at 7:57 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 19, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Adrian Condit, Memorial Hospital Chaplain

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 24

Removed from consent: 23

ACTION: (Lang/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 12, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider the appeal of Allen R. Grant to a Board of Zoning Adjustment decision denying a variance from the 400 foot walking distance limitation of the Municipal Code for common parking spaces to serve a commercial building at the northwest corner of Needham Street and Olive Avenue.

(Continued from Council meeting of November 5, 1985.)

Dropped from agenda at appellant's request.

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

(Continued from Council meeting of October 22, 1985.)

ACTION: Res. 85-873 adopted (Whiteside/Sutton, majority, McGrath, Muratore, Patterson denying appeal.

By motion under item 26 (Lang/Patterson, majority, Whiteside and Mayor Mensinger - no) this item was reopened for further consideration.

By motion (Lang/Patterson, majority, Whiteside and Mayor Mensinger - no) Res. No. 85-873 was amended to deny the appeal without prejudice.
(Clerk to handle)

5. Hearing to consider the request of Gilton Solid Waste Management for an extension of franchise to collect garbage.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2381-C.S. introduced.
(Clerk to handle)

6. Hearing to consider an amendment to Section 21-2-9 of the Zoning Map to repeal P-D(307) for an expansion of a residential care home, and rezone to R-1 and R-2, property located at the southeast corner of Corson Avenue and Melrose Avenue. (Melrose Manor)

ACTION: By motion (Patterson/McGrath, unan.) Ord. No. 2382-C.S. introduced.
(Clerk to handle)

7. Hearing to consider an amendment to Section 19-3-9 of the Zoning Map to repeal P-D(189) which allowed a 60-unit, three-story elderly housing project, and rezone to C-1, property located on the south side of Evergreen Avenue east of West Orangeburg. (Ben Cipponeri)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2383-C.S. introduced.
(Clerk to handle)

8. Hearing to consider an amendment to Section 24-3-9 of the Zoning Map to repeal P-D(261) for a 42-unit condominium project, and rezone to R-3, property located on the west side of Claus Road south of East Orangeburg Avenue. (Leonard Loyalvo)

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2384-C.S. introduced.
(Clerk to handle)

9. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone from P-0 and P-D(283) to P-D(388) to allow a two- and three-story retirement center and professional office use, property located on the east side of Dale north of Veneman. (Mike and Marilyn Carney)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2385-C.S. introduced.
Res. 85-874 adopted certifying review of Environmental Assessment.
(Clerk/Planning to handle)

10. Hearing to consider an amendment to the subdivision regulations to add Sections 4-4.405 and 4-4.526 pertaining to vesting tentative maps.

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2386-C.S. introduced.
Res. 85-875 adopted certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

11. Consider awarding contract to supply traffic signal equipment to G. M. Services.
(Memo with agenda. Contractors have had problems acquiring the signal heads we prefer. It was decided that City acquisition would eliminate some lead time and would result in more timely signal construction. Resolution awarding contract to G. M. Services needed. Estimated cost: \$8,885; funds are budgeted.)

ACTION: Res. 85-876 adopted awarding contract. (P/T to handle)

CONSENT

12. Consider declaring three low bidders on rechargeable flashlights, spare lamps, and spare batteries, and authorizing the purchase of these products at the respective prices bid for a total of \$7,226.
(Resolution declaring Davis Co. low bidder on flashlights, Chesire/Perez Co. low bidder on lamps, and Pro-Light Co. low bidder on batteries, and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 85-877 adopted awarding bid to David Co. for flashlights.
Res. 85-878 adopted awarding bid to Chesire/Perez Co. for lamps.
Res. 85-879 adopted awarding bid to Pro-Light Co. for batteries.
(Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing the purchase of computer hardware and software from WANG laboratories for \$193,592, and consider approving a lease-purchase agreement with Security Pacific Capital Markets for the funds necessary for the acquisition. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed (five affirmative votes needed.); and resolution approving lease-purchase agreement needed.)

ACTION: Res. 85-880 adopted waiving formal bid.

Res. 85-881 adopted approving lease-purchase agreement.
(Finance to handle)

14.

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

None

NEW BUSINESS

CONSENT

15. Designation of Councilmember Whiteside to serve as Vice Mayor for the ensuing year, pursuant to Section 603 of the Charter of the City of Modesto. (Resolution designating Councilmember Whiteside as Vice Mayor needed.)

ACTION: Res. 85-882 adopted designating Councilmember Whiteside as Vice Mayor. (Clerk to handle)

CONSENT

16. Recommendation from Planning Commission for proposed intersection improvements at Standiford-Dale Sisk intersection. (On September 3, 1985, the City Council referred this matter to the Planning Commission for consideration. A resolution setting forth the Planning Commission recommendations and memo with agenda. Motion directing staff to proceed with final design and with establishment of improvement district needed. Estimated cost: \$458,000; funds are budgeted.)

ACTION: By motion, staff directed to proceed. (Planning to handle)

CONSENT

17. Consider approving lease agreement with S.S.L. # 1 for the lease of office space at 959 10th Street. (The City needs to lease temporary office space to be used by the Community Center staff during construction of the Center. The site chosen will cost \$650 per month. Initial terms set lease at 17 months, followed by a month-to-month agreement. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$11,050; funds are budgeted.)

ACTION: Res. 85-883 adopted approving agreement. (Utility Serv to handle)

CONSENT

18. Consider approving lease agreement with E & J Gallo Winery Corp. for the lease of Hangar #6 at the Modesto City-County Airport.
(This is a one-year renewal of an existing lease. Present rent is \$358 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 85-884 adopted approving agreement. (Utility Serv to handle)

CONSENT

19. Consider approving lease agreement with Wings West Airlines, Inc. for their operation at the Modesto City-County Airport.
(This is a one-year renewal of an existing lease. All terms remain the same. This will be Wings West's second year of operation in Modesto. Resolution approving agreement needed.)

ACTION: Res. 85-885 adopted approving agreement. (Utility Serv to handle)

CONSENT

20. Consider approving agreement with Bernard E. and Letha E. Good for the purchase of 6,504+ square feet easement on their property.
(The Goods have agreed to sell the required easement for \$3,200. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 85-886 adopted approving agreement. (Utility Serv to handle)

CONSENT

21. Consider approving agreements with David M. Verissimo, et ux, Bernard Stuit, et al, and Gerald P. Mollett, et al for the acquisition of easements across their properties for the installation of a parallel outfall line.
(The Verissimos have agreed to sell the required easements for the appraisal value of \$1,900. The Stuits, et al have agreed to sell for \$10,200. The Molletts, et al have agreed to sell for \$12,300. Memo with agenda. Resolutions approving agreements needed. Estimated total cost: \$24,400 plus interest. Funds are budgeted.)

ACTION: Res. 85-887 adopted approving agreement with the Verissimos.
Res. 85-888 adopted approving agreement with the Stuits, et al.
Res. 85-889 adopted approving agreement with the Molletts, et al.
(Utility Services to handle)

CONSENT

22. Consider authorizing retention of outside legal counsel for the defense of tort and other actions.
(Memo with agenda. Resolution authorizing retention of outside legal counsel needed.)

ACTION: Res. 85-890 adopted authorizing retention of outside legal counsel.
(Atty to handle)

23. Consider supporting the Love Development elderly multifamily mortgage revenue bond project and approving a cooperative agreement between the City of Modesto and the Stanislaus County Housing Authority - Modesto Health Care Center.

(Love Development Co. is in the process of conducting a bond issue with the County Housing Authority to finance a 140-unit elderly apartment complex called Modesto Health Care Campus. A resolution of support for the project is requested waiving the very low income requirement for 10 percent of the units and the dispersion of units requirement. Memo with agenda. Resolution supporting the project needed, and resolution approving agreement needed.)

ACTION: By motion (Whiteside/Lang, majority, Patterson and Mayor Mensinger - no) project supported with waiver of the 10% low income requirement.

Res. 85-891 adopted (same vote) approving agreement.

(Planning to handle)

CONSENT

24. Consider authorizing City Manager to execute an agreement with Orrick, Herrington & Sutcliffe law firm to assist in negotiations of a service contract with Oxford Energy, Inc./Ogden Martin Systems, Inc. for waste-to-energy project.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-892 adopted approving agreement. (Utility Serv to handle)

MISCELLANEOUS

25. Appointments

ACTION: Res. 85-893 adopted (Sutton/Muratore, unan.) appointing new HCDA Citizen Advisory Committee members - David Dill, Steven Franklin, John Kenealy, Thomas Munoz, Jack Schmid and Ora Scruggs

(Clerk to handle)

26.


MATTERS TOO LATE FOR THE AGENDA

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

By motion (Lang/Patterson, majority, Whiteside and Mayor Mensinger-no) action on item 4 was reopened for consideration.

ADJOURNMENT

The meeting adjourned at 6:25 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 26, 1985, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 9, 10, 11, 12, 13,
14, 15, 16, 19, 20, 21, 22, 23,
Removed from consent: 18, 24 25, 26

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 19, 1985, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2381-C.S. extending license to collect garbage - Gilton Solid Waste Management. (Motion adopting needed.)

ACTION: By motion, Ord. No. 2381-C.S. adopted. (Clerk to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2382-C.S. repealing P-D(307) and rezoning to R-1 and R-2, property located at the southeast corner of Corson Avenue and Melrose Avenue. (Melrose Manor)
- b. Ord. No. 2383-C.S. repealing P-D(189) and rezoning to C-1, property located on the south side of Evergreen Avenue east of West Orangeburg. (Cipponeri)
- c. Ord. No. 2384-C.S. repealing P-D(261) and rezoning to R-3, property located on the west side of Claus Road south of East Orangeburg Avenue. (Lovalvo)
- d. Ord. No. 2385-C.S. rezoning from P-0 and P-D(283) to P-D(388), property located on the east side of Dale Road north of Veneman Avenue. (Carney)
- e. Ord. No. 2386-C.S. amending the subdivision regulations relating to vesting tentative maps.

(Motion adopting needed.)

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

HEARINGS

5. Hearing to consider the appeal of James H. Welch, on behalf of P & R Enterprises, to a decision of the Planning Commission denying the Redford Estates tentative subdivision map.

ACTION: Res. 85-894 adopted (Lang/McGrath, majority, Patterson-no, Mayor Mensinger absent) denying the appeal. (Planning to handle)

6. Hearing to consider an amendment to Sections 28-3-9 and 29-3-9 of the Zoning Map to rezone from C-1 and C-2 to P-D(389) to allow expansion of Modesto Bee facilities including office space, production area, and off-street parking, Blocks 105 and 114.

ACTION: By motion (Sutton/Muratore, unan., Mayor Mensinger absent) Ord. No. 2387-C.S. introduced.

Res. 85-895 adopted (same vote) approving plan.

Res. 85-896 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider amendment to Sections 10-2.603 and 10-2.703 of the Municipal Code to reinstate review of residential plot plans which was inadvertently amended to provide such review by the Board of Zoning Adjustment.

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) Ord. No. 2388-C.S. introduced. (Clerk to handle)

8. Hearing to consider an amendment to Section 10-2.1102 of the Zoning Regulations to add fortune telling to the list of uses permitted in the C-2 zone.

ACTION: By motion (Lang/Sutton, unan., Mayor Mensinger absent) Ord. No. 2389-C.S. introduced. (Clerk to handle)
Res. 85-896A adopted (same vote) certifying review of Environmental Assessment. (Planning/Clerk to handle)

BIDS

CONSENT

9. Consider approving specifications and authorize call for bids to be opened December 10, 1985, at 3:00 p.m. for furnishing landscape maintenance services.
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$21,114; funds are budgeted.)

ACTION: Res. 85-897 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider calling for bids to modify traffic signals at Tully/Standiford and at Coffee/Sylvan.
(Memo with agenda. These signals are two-phase, fixed-time at the present time. The proposal would convert them to eight-phase (protected left-turn phasing) and fully-actuated operation. Resolution approving plans and specifications and calling for bids to be opened at 11:00 a.m. on Friday, January 3, 1986. Estimated cost: \$91,000; funds are budgeted.)

ACTION: Res. 85-898 adopted calling for bids. (P/T to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the water line extension in Kansas Avenue.
(Suggested bid opening: December 10, 1985, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$152,827 (contract \$138,479; engineering & cont. \$14,348); funds are budgeted.)

ACTION: Res. 85-899 adopted calling for bids. (Eng. to handle)

CONSENT

12. Consider award of contract for the Paradise Road water line extension to Bowers Co.

(Bids were opened on November 19, 1985. The low bid of \$49,783.50, submitted by Bowers Co., is 6.04% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Bowers Co. needed. Funds are budgeted.)

ACTION: Res. 85-900 adopted awarding contract. (Eng. to handle)

CONSENT

13. Consider award of contract for crack sealing various City streets to Valley Slurry Seal.

(Bids were opened on November 19, 1985. The low bid of \$19,050, submitted by Valley Slurry Seal, is 41.16% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Valley Slurry Seal needed. Funds are budgeted.)

ACTION: Res. 85-901 adopted awarding contract. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Request of the Stanislaus County Historical Society that the City Council adopt a preservation ordinance and that 14th Street be designated a local historic district.

(Motion referring to Culture Commission needed.)

ACTION: By motion, request referred to Culture Commission. (P.R. to handle)

CONSENT

15. Letter from Keith J. Schneider, Building Industry Association of Central California, regarding policy of funding traffic signals.

(Motion referring to Planning Commission needed.)

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

CONSENT

16. Letter from Mike Branham resigning from Human Relations Commission. (Resolution accepting resignation with regret needed.)

ACTION: Res. 85-902 adopted accepting resignation. (Clerk to handle)

16A. Letter from Paul Fisher concerning a five continent peace initiative.

ACTION: Action deferred until the December 3, 1985, City Council meeting. (Clerk to handle)

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

Councilmember Muratore discussed the progress on the waste-to-energy project and said a State grant was approved today.

NEW BUSINESS

18. Overall Economic Development Plan update.
(Stanislaus County is in the process of updating its Overall Economic Development Plan and is asking agencies to submit project potentials for possible funding by the Economic Development Administration. Staff recommends the Modesto City Council submit an Incubator Feasibility Study as its suggested project. Motion accepting staff recommendation needed. Estimated total cost: \$60,000 (EDA grant, loan \$48,000; City portion \$12,000).)

ACTION: By motion (Patterson/McGrath, unan., Mayor Mensinger absent) recommendation approved. (Management Services to handle)

CONSENT

19. Consider waiving sign permit fees for January 1, 1987 sign abatement. (The January 1, 1987, sign abatement will affect over 500 signs. It is recommended that sign permit fees for signs to be relocated or replaced be waived. Memo setting forth proposed timetable and procedures with agenda. Motion approving procedures needed, and resolution waiving sign permit fees needed.)

ACTION: By motion, procedures approved. (Planning to handle)
Res. 85-903 adopted waiving sign permit fees.

CONSENT

20. Consider authorizing a study concerning on-street parking of trucks. (Memo with agenda. The Planning Commission is concerned with the on-street parking of semitrucks. It recommends a study of the possibility of banning on-street parking to the extent reasonable. Motion approving recommendation needed.)

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

CONSENT

21. Consider introduction and adoption of an emergency ordinance to add Chapter 11 to Title IV of the Modesto Municipal Code to regulate and monitor fortune telling establishments in the City. (Memo with agenda. Introduction and adoption of an ordinance needed.)

ACTION: By motion, Ord. No. 2390-C.S. introduced. (Clerk to handle)

CONSENT

22. Consider approving participation in Highway 132 Traffic Corridor Study. (Memo with agenda. Study will cover alternatives for the development of this route east and west of Modesto. Resolution approving Memorandum of Understanding and authorizing its execution needed.)

ACTION: Res. 85-904 adopted approving Memorandum of Understanding. (P.T. to handle)

CONSENT

23. Consider amending Resolution Nos. 83-482 and 85-6 referring to Cape Cod Villas multifamily mortgage revenue bond project. (The initial application approval and extension provided financing not to exceed \$6,000,000. The developer now projects a need for not more than \$7,500,000 for the construction of 226 units. Memo with agenda. Resolution amending Resolution Nos. 83-482 and 85-6 needed.)

ACTION: Res. 85-905 adopted amending Resolution No.s 83-482 and 85-6. (Planning to handle)

24. Consider refunding Series 84 Wastewater Treatment Revenue Bonds. (Memo with agenda. Motion authorizing staff to proceed with arranging for the refunding needed.)

ACTION: By motion (Lang/Patterson, unan., Mayor Mensinger absent) staff directed to proceed. (Finance to handle)

CONSENT

25. Presentation of the City of Modesto's audited Comprehensive Annual Financial Report for the year ended June 30, 1985. (Memo and copy of report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends:

Support

- a. SB 338 (Garamendi) - Senior and Handicapped Housing Bond Act
b. SB 1220 (Keene and Nielsen) - California Library Construction and Renovation Bond Act of 1986

(Memo and attachment with agenda. Motion accepting staff recommendations needed.)

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

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

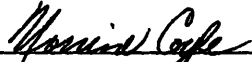
(These may be presented by members of the City Council and staff.)

Councilmember McGrath clarified his interest in Lang's Enterprises and said the City Attorney has stated that because his interest is remote, the City of Modesto can do business with Lang's Enterprises.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 3, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 11, 13, 17, 18, 20

Removed from consent: 9, 9A, 14, 15, 16, 19

ACTION: (Whiteside/McGrath, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the corrected minutes of the November 5, 1985, regular City Council meeting and the minutes of the November 26, 1985, regular City Council meeting.
(Motion approving needed. Memo with agenda.)

ACTION: By motion, minutes approved.

(Clerk)

UNFINISHED BUSINESS

3. Consider request by Paul Fisher, representing Beyond War group, for a resolution or proclamation concerning a five continent peace initiative.

ACTION: By motion (Sutton/Whiteside, unan.) Mayor Mensinger directed to issue a proclamation. (Manager to handle)

HEARINGS

4. Hearing to consider vacation and abandonment of portions of Chestnut and Madison Streets, west of Jefferson Street.

ACTION: Res. 85-906 adopted (Lang/Muratore, unan.) abandoning portions of Chestnut and Madison Streets. (Clerk/Planning to handle)

5. Hearing to consider the appeal of Mid-Valley Engineering, Inc., on behalf of Jim Price, to a Planning Commission decision denying an application to rezone from R-1 and P-D(256) to a new P-D, property located on the east side of Claus Road, north of Dry Creek.

ACTION: By motion (Whiteside/Sutton, majority, Lang, McGrath, Patterson-no) Ord. No. 2391-C.S. introduced.

Res. 85-907 adopted (same vote) approving plan.

Res. 85-908 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider an amendment to Section 24-3-9 of the Zoning Map to rezone from P-D(218) to R-1, from R-2 to P-D(218), and from R-2 to R-1, property located north of Scenic Drive, west of Claus Road. (Leslie Busick)

ACTION: By motion (Sutton/Muratore, unan.) Ord. No. 2392-C.S. introduced.

Res. 85-909 adopted (same vote) approving plan.

Res. 85-910 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider an amendment to P-D(378) to allow a child care center in place of a financial institution, property located on the north side of Standiford Avenue between San Clemente and Prescott. (La Petite Academy, Inc.)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2393-C.S. introduced.

Res. 85-911 adopted (same vote) approving plan and certifying review of Environmental Assessment.

(Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened January 7, 1986, at 3:00 p.m. for furnishing replacement parts for Fairbanks Morse pumps.
Requested by the Sewerage Division, the pump parts will be used to periodically repair Fairbanks Morse lift pumps located at the Sutter Street plant. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 85-913 adopted calling for bids. (Finance to handle)

9. Consider rejecting bids for furnishing one tool system/truck body; consider waiving bid procedures and authorize the purchase of one tool system/truck body from Hydraulic Energy Company for the total price of \$9,640.70.
(Memorandum with agenda. Resolution rejecting bids, waiving bid procedures, and authorizing purchase from Hydraulic Energy Company needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-914 adopted (McGrath/Whiteside, unan.) (Finance to handle)

WRITTEN COMMUNICATIONS

- 9A. Letter from Ann Miller regarding bingo.
(Motion referring to staff needed.)

ACTION: By motion (Muratore/Sutton, unan.) this item was referred to staff.
(Police to handle)

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

None

NEW BUSINESS

CONSENT

11. Introduction of a modification to the sprinkler ordinance excepting above-ground areas of parking garages of Type I construction from the sprinkler requirement.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2394-C.S. introduced. (Clerk to handle)

12. The Council Solid Waste Committee recommends a service agreement with Stanislaus Waste Energy Company/Ogden Martin Systems of Stanislaus County, Inc.
(A summary of the more important issues and a copy of the service agreement is with the agenda. Resolution approving service agreement needed.)

ACTION: Res. 85-915 adopted (Lang/Whiteside, unan.) approving service agreement. (Utility Services to handle)

CONSENT

13. Set date for public hearing to consider reversion to acreage of Orchard Grove No. 1 - 8 subdivision.
(On October 21, 1985, by Resolution 85-209 the Planning Commission recommended approval of a reversion to acreage of Orchard Grove No. 1 - 8 subdivision located on the northeast corner of Merle Avenue and Temescal Drive. The final map has now been submitted for approval. Resolution setting hearing December 17, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-916 adopted setting hearing. (Clerk to handle)

14. Amend the Position Classification Plan to add a new class of "Public Information Officer."
(Memo with agenda. Resolution amending position classification plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed.)

ACTION: Res. 85-917 adopted (Patterson/Whiteside, unan.) amending classifications listing.
Res. 85-918 adopted (same vote) amending salary resolution. (Management Services to handle)

15. Reallocation of \$6,391,000 of unused Private Activity Industrial Development Bond Allocation to the State.
(Memo with agenda. Resolution authorizing transfer needed.)

ACTION: Res. 85-919 adopted (Sutton/Patterson, unan.) authorizing transfer. (Planning to handle)

Councilmember Lang excused at 8:15 p.m.

16. Consider setting public hearing for annual review of garbage rates and any needed adjustment.
(Garbage company operations are reviewed annually. Due to proposed increase in landfill tipping fees, adjustments in service charges are needed. Resolution setting hearing December 17, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-920 adopted (Patterson/Whiteside, unan., Lang absent) setting hearing. (Clerk to handle)

CONSENT

17. Consider setting public hearing to consider various fee increases relating to land development, street work, building inspection, water and sewer inspections, document reproduction and signs.
(Resolution setting hearing December 17, 1985, at 4:00 p.m. needed.)

ACTION: Res. 85-921 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider abandonment of a portion of the 8-foot public utility easement in Lot 35 of Block 13211 of the Minoa Estates subdivision of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the 8-foot public utility easement in Lot 35 of Block 13211 needed.)

ACTION: Res. 85-922 adopted abandoning. (Eng to handle)

19. Consider accepting staff's report on Chamber of Commerce position on air service, and consider amending budget for an interfund transfer to extend the "Fly Modesto" marketing program for another year.
(Memo with agenda. Motion accepting staff reported needed, resolution amending annual budget needed, and resolution approving extension of agreement with Boyle Kilpatrick needed.)
(Councilmember Muratore excused due to a conflict of interest.)

ACTION: By motion (Sutton/Patterson, unan., Lang and Muratore absent) staff report accepted.

Res. 85-923 adopted (same vote) amending annual budget.

Res. 85-924 adopted (same vote) approving extension of agreement.
(Utility Services to handle)

CONSENT

20. Refunding of Series 84 Wastewater Treatment Bonds.
(Memo with agenda. Resolution authorizing negotiation and signing of a purchase agreement to sell the bonds needed.)

ACTION: Res. 85-925 adopted authorizing negotiation and signing of an agreement. (Finance to handle)

MISCELLANEOUS

21. Appointments

None

22.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Patterson asked that a discussion of the former Strand Theater property be included in the December 17, 1985 City Council agenda.

Mayor Mensinger announced the meeting times and dates during the month of December.

ADJOURNMENT

The meeting adjourned at 8:30 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk

December 10, 1985

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

Present: Lang

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

There being a lack of a quorum, the meeting was adjourned to Tuesday, December 17, 1985, 8:00 a.m. at the Copper Kettle Restaurant, 1021 Eleventh Street, for a meeting with Assemblyman Condit.

ATTEST: 
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Copper Kettle, 1021 11th Street, Modesto, California.

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

Absent: Councilmember Sutton

The Councilmembers met with Assemblyman Gary Condit to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 9:25 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

Senator McCorquodale - Thursday, December 19, 1985, 8:00 a.m.
Sierra Room of the Holiday Inn

1. Labor Relations (Lamar Bartholomew)

SB 1398 (Dills), Binding Arbitration. Two-year bill. Council position - oppose.

SB 1254 (Dills), Unfair Labor Practices. Two-year bill. Council position - oppose.

2. Workers' Compensation Reform (Lamar Bartholomew)

AB 1000 (McAlister), Injured Workers' Income Security and Rehabilitation Act. Council position - support.

3. Liability Insurance (Lamar Bartholomew, Elwyn Johnson, and Mary Grogan)

Statewide ballot initiative identical to SB 75 (McAlister), Joint and Several Liability. Council position - support.

Problem with liability insurance above and beyond joint and several liability. Example, Tuolumne River Regional Park.

4. Transportation (Doug Carmody)

Farebox ratio study as a result of AB 4026 (Condit), 1984 session. Now that study is almost completed, we need legislative support so recommendations can become law.

Radar legislation. Possibility of ever changing 85th percentile speed.

Freeway modifications. The California Highway Commission has adopted policies that place up to 100% of the cost for freeway modification on the cities and counties.

5. Proof of Insurance (Gerald McKinsey)

Need for clean up legislation similar to SB 351 (Robbins), which Council supported. SB 850 (Robbins), 1984 session, requires motorists to show evidence of financial responsibility. SB 351 (Robbins) was vetoed by the Governor.

6. Nonpartisan Elections (Elwyn Johnson and Norrine Coyle)

ACA 7 (Mountjoy), Nonpartisan Elections. Council position - support.



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 17, 1985, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 10, 11, 12, 13, 14, 15,
16, 17, 18, 23, 24, 25, 26, 27, 28,
29, 30, 31, 32, 33, 34

Removed from consent: 21

ACTION: (Sutton/Patterson, unan.)

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

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced the Sylvan Union School District Student Council and Advisor Virginia Kinyai

Vice Mayor Whiteside displayed an etching by Cindy Brink presented to the City by the Modesto Board of Realtors.

Norrine Coyle announced that Nancy Kelly had put together some scrapbooks of clippings and photos of former Councilmembers and employees which she is giving to the City for the Museum.

MINUTES

CONSENT

2. Approval of the corrected minutes of the November 5, 1985, regular City Council meeting and the minutes of the December 3, 1985 regular City Council meeting.
(Motion approving needed. Memo with agenda.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2391-C.S. rezoning from R-1 and P-D(256) to a new P-D, property located on the east side of Claus Road, north of Dry Creek. (Jim Price)
(Motion adopting needed.)

ACTION: By motion (Whiteside/Sutton, majority, Lang, McGrath and Patterson - no) Ord. No. 2391-C.S. adopted. (Clerk to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2387-C.S. rezoning from C-1 and C-2 to P-D(369), property located between H and I Streets and between 13th and 14th Streets and between 14th and 15th Streets. (Modesto Bee)
- b. Ord. No. 2388-C.S. amending the Municipal Code relating to the review of residential plot plans.
- c. Ord. No. 2389-C.S. amending the Municipal Code to add fortune telling to the list of uses permitted in the C-2 zone.
- d. Ord. No. 2392-C.S. rezoning from P-D(218) to R-1, from R-2 to P-D(218), and from R-2 to R-1, property located north of Scenic Drive, west of Claus Road. (Leslie Busick)
- e. Ord. No. 2393-C.S. amending P-D(378) to allow a child care center in place of a financial institution, property located on the north side of Standiford Avenue between San Clemente and Prescott. (La Petite Academy, Inc.)
- f. Ord. No. 2394-C.S. amending the Municipal Code relating to automatic sprinkler systems.

(Motion adopting needed.)

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

HEARINGS

5. Hearing to consider issuance of multifamily housing revenue bonds in the principal amount not to exceed \$7,500,000 for the purpose of providing funds to make a loan to Pan Capital, Inc., financing for the acquisition, construction, and improvement of land and an approximately 225-unit multifamily rental housing development to be located on Hatch Road between Carpenter Road and Crows Landing Road.

ACTION: Res. 85-926 adopted (Lang/Whiteside, unan.) approving issuance of multifamily housing revenue bonds. (Planning to handle)

6. Hearing to consider an amendment to Section Map 13-3-8 to rezone from P-D(202) to P-D(391) for a 27-unit apartment complex, property located on the south side of W. Rumble Road east of Sisk Road. (Richard W. Jones)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2395-C.S. introduced.

Res. 85-927 adopted (same vote) approving plan.

Res. 85-928 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider reversion to acreage of Orchard Grove No. 1-8 subdivision located on the northeast corner of Merle Avenue and Temescal Drive.

ACTION: Res. 85-929 adopted (Muratore/Patterson, unan.) reverting to acreage. (Planning to handle)

8. Hearing to consider annual review of garbage rates and adjustments in service charges. (There is a request to continue this hearing to January 7, 1986, at 4:00 p.m.)

ACTION: By motion (Lang/Whiteside, unan.) hearing continued to January 7, 1986, at 4:00 p.m. (Clerk to handle)

9. Hearing to consider various fee increases relating to land development, street work, building inspection, water and sewer inspections, document reproduction and signs.

ACTION: Res. 85-930 adopted (Muratore/Sutton, unan.) establishing a sewer bond redemption charge inspection fee.

Res. 85-931 adopted (same vote) establishing sign permit fees.

Res. 85-932 adopted (same vote) establishing fees for copies of various maps and prints.

Res. 85-933 adopted (same vote) establishing a schedule of fees for water service.

Res. 85-934 adopted (same vote) establishing filing fees for subdivision and parcel maps.

Res. 85-935 adopted (same vote) establishing investigation and permit fees relating to moving of buildings.

Res. 85-936 adopted (same vote) establishing a fee for preparation of sewer line reimbursement agreements.

Res. 85-937 adopted (same vote) establishing a certificate of compliance fee payable by persons who request a certificate that property about to be sold complies with the Subdivision Map Act.

Res. 85-938 adopted (same vote) establishing schedule of fees in connection with encroachment permits and inspections.

Res. 85-939 adopted (same vote) establishing a building compliance inspection fee.

By motion (Muratore/Sutton, unan.) staff directed to look into whether or not payment of subdivision fees could be delayed until after the final map is recorded. (Engineering to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for the stairway replacement at Woodland Avenue sewer lift station. (Suggested bid opening: January 7, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$11,000 (contract \$10,000; engineering & cont. \$1,000); funds are budgeted.)

ACTION: Res. 85-940 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the water line extension in Claus Road. (Suggested bid opening: January 7, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specification and call for bids needed. Estimated cost: \$24,980 (contract \$22,255; engineering & cont. \$2,725); funds are budgeted.)

ACTION: Res. 85-941 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened January 7, 1986, at 3:10 p.m. for furnishing one new Allison transmission. (Requested by the Service Division, the Allison transmission will be used as a replacement transmission in the Gillig transit coaches with Detroit diesel engines. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,494; funds are budgeted.)

ACTION: Res. 85-942 adopted calling for bids.

(Finance to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened January 14, 1986, at 3:00 p.m. for furnishing golf course trees. (Hardpan has caused salt buildup in the soil at Dryden Golf Course which has killed many trees. Drilling of drainage holes has corrected this situation and the soil is now ready for replacement trees. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$11,281; funds are budgeted.)

ACTION: Res. 85-943 adopted calling for bids.

(Finance to handle)

CONSENT

14. Consider sale of structure at 321 Neece Drive.
(This house was purchased for the proposed expansion of the Muni 9 Golf Course parking lot. Staff recommends trying to sell the structure rather than demolishing it. Memo with agenda. Suggested bid opening: February 4, 1986, at 11:00 a.m. Resolution approving specifications and calling for bids needed.)

ACTION: Res. 85-944 adopted calling for bids. (Utility Services to handle)

CONSENT

15. Consider award of contract for the Kansas Avenue water line extension. (Bids were opened on December 10, 1985. The low bid of \$124,390, submitted by Bond Construction is 10.17% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Bond Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Bond Construction needed. Funds are bugeted.)

ACTION: Res. 85-945 adopted awarding contract.

(Eng to handle)

CONSENT

16. Consider acceptance of Clyde Wheeler Pipeline's contract for the Floyd Avenue water line extension. (Original contract: \$25,290.50)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$24,823.50; funds are bugeted.)

ACTION: Res. 85-946 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Smartt Construction's contract for the replacement of catch basins at various locations. Original contract: \$8,800
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$10,125; funds are budgeted.)

ACTION: Res. 85-947 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of Bond Construction's contract for the installation of waterline in Vintage Drive. Original contract and final cost: \$18,230 (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-948 adopted accepting work as complete. (Clerk to handle)

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

None

NEW BUSINESS

20. Consider appraisal of former Strand Theater property.

ACTION: By motion (Lang/Whiteside, majority, McGrath and Patterson-no) staff directed to obtain an appraisal on the property. (Mgr to handle)

Item 21 considered before Item 20.

21. Consider authorizing the City Manager to sign an agreement with Stanislaus County as required by the service agreement to construct the Waste-to-Energy Plant.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 85-949 adopted (Muratore/Lang, unan.) approving agreement.

Res. 85-950 adopted (same vote) waiving formal bid procedure.

Res. 85-951 adopted (same vote) authorizing signing of revenue bonds on behalf of the City.

Res. 85-952 adopted (same vote) authorizing the Acting City Attorney to render an opinion as requested under the service agreement.
(Utility Services/Atty to handle)

CONSENT

23. Consider approving agreement with Avis Rent-A-Car System, Inc. for their operation at the airport.
(This is a one-year renewal of an existing lease. Avis pays 10% of their rentals with a minimum of \$300 per month. They also rent a small office for \$75 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 85-953 adopted approving agreement. (Utility Serv to handle)

CONSENT

24. Consider 1985-86 Budget Amendment to provide for final payment to Stanislaus County for completion of the Scenic Drive, Coffee Road intersection construction.
(Memo with agenda. Resolution amending annual budget needed.)

ACTION: Res. 85-954 adopted amending annual budget. (Finance to handle)

CONSENT

25. Consider approval of the final map of Dutch Meadow Unit No. 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Rule Enterprises
(The subdivision agreement has been signed and all fees paid. Dutch Meadow Unit No. 1 is located south of Snyder Avenue, between Dale Road and Prescott Road. It contains 27.594 acres. Resolution approving final map needed.)

ACTION: Res. 85-955 adopted approving final map. (Clerk to handle)

CONSENT

26. Consider acceptance of improvements in The Vineyard No. 4 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Bright Development
(The Vineyard No. 4 subdivision is located on the north side of Standiford Avenue west of the Tidewater Southern Railroad. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting as complete needed.)

ACTION: Res. 85-956 adopted accepting as complete. (Clerk to handle)

CONSENT

27. Woodland-Morse Governmental Reorganization to the City of Modesto
(On November 20, 1985, LAFCO approved the Woodland-Morse Governmental Reorganization to the City of Modesto. The Governmental Reorganization would include annexation to the City of Modesto, the Modesto Municipal Sewer District No. 1, and detachment from the Woodland Avenue Fire Protection District. LAFCO has authorized the Council to proceed without notice, hearing, or election. Resolution ordering the Woodland-Morse Governmental Reorganization to the City of Modesto and certifying the review of environmental impact needed. LAFCO resolution, e.a. and map with agenda.)

ACTION: Res. 85-957 adopted ordering the Governmental Reorganization. (Clerk to handle)

CONSENT

28. Consider excusing Councilmembers McGrath, Muratore, Patterson, Sutton and Whiteside and Mayor Mensinger for being absent from the December 10, 1985, City Council meeting due to their attendance at National League of Cities Conference.
(Motion excusing needed.)

ACTION: By motion, absences excused.

(Clerk to handle)

CONSENT

29. Consider setting a hearing regarding amending conflict of interest codes for the Finance, Management Services, Parks and Recreation, and Utility Services Departments.
(Resolution setting hearing January 21, 1986, at 4:00 p.m. needed.)

ACTION: Res. 85-958 adopted setting hearing.

(Clerk to handle)

CONSENT

30. Consider authorizing City Manager to sign agreement with Dry Creek Investments for street improvements on Parker Road, adjacent to Dry Creek Mobile Home Estates.
(Dry Creek Mobile Home Estates is located on Parker Road at Cedar Creek Drive. The Developer has requested permission to install street improvements on Parker Road to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$21,340.19)

ACTION: Res. 85-959 adopted approving agreement.

(Eng to handle)

CONSENT

31. Set hearing to consider approval of Report by Superintendent of Streets on the costs of Residential Alley Resurfacing - Project No. 12.
(The information listed below shows the project locations listed by Lot and Block Number. The dollar amounts listed reflect the contract costs for the placement of asphalt and the raising of sewerage facilities. The raising of water valve boxes and grading of the alleys was paid for by the City. Resolution setting hearing January 14, 1986, at 7:30 p.m. needed.)

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Dawson L. and Marilyn Wright	14, 15 & 16	\$362.61
Ronald A. and Doreen J. Goldman	11, 12 & 13	362.61
William and Mary Jane Ernoegazy	9 & 10	241.75
Edith C. Kephart	7 & 8	241.75
George M. and Edna Dias	5 & 6	241.75
Otto and Frida K. Riedmiller	3 & 4	241.75
Hunter S. Creasman	1 & 2	241.75
Dennis W. and Terry M. Perry	31 & 32	241.75
David K. and Linda H. Winsemius	29 & 30	241.75
William V. and Sue E. King	27 & 28	241.75
Alma Badenhausen	25 & 26	241.75
Ruth M. Pine	23 & 24	241.75
Pearl Hansen	21 & 22	241.75
Ronson F. Wong	19 & 20	241.75
Victor G. and Sara Ann Mattox	17 & 18	241.75

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Penny Silveria	15	\$364.16
Harry M. and Jane M. Changnon	16	363.96
Virgil F. and Delores R. Heffner	17	363.96
Vincent A. aand Pierina G. Filippi	18	380.25
Andrew H. Cypert	4	354.13
Harvey C. and Hazel M. Newnam	3	354.13
Lorain R. and Elizabeth Dunn	2	354.13
Lamon Wright	1	409.95

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Don Pace	7 & 8	\$399.79
Leonard C. and Pauline Bowers	6	241.75
Marguerite and Donald L. Chandon	5	241.75
Sydney R. and Viola Fern Welcy	4	241.75
Robert R. and Mary Jo Casella	3	241.75
Billie C. Jones	2	241.75
Elmer A. Kirkie	1	241.75
Robert L. and Judy M. A. Crisp	Por.	483.49
Kenneth L. and Barbara J. Sly	11	241.75
Isabel F. Wadsworth	Por.	251.41
Gary E. and Janine B. Du11	Por.	290.09
Dennis L. Shaeffer	Por.	314.27
Rhodes Tempest	Por.	269.40

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
John L. and Patricia Zamora	7	\$329.97
Lee Henry	6	325.29
Burnell L. Hambleton	Por.	310.50
Arden W. and Karen L. Ohl	Por.	340.07
Patricia A. Ruttan	3	330.22
Robert A. Brown	2	616.07
Russell B. and Eunice G. De Freest	1	98.57
Robert C. Banks	14	335.14
Blanche L. Heiny	13	335.14
James H. Hanchett	12	332.68
Howard R. Brundage	11	332.68
Adena E. Gervasoni	10	332.68
Agnes J. Picha	9	335.14
Lewis Arlin and Genevieve Ellis	8	245.25
Hobart D. Blair	16	188.08
Dan Balestrini	15	374.57

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
E. R. and Ruby A. Johnson	18	\$513.17
Martin L. and Merle F. Schueller	19	488.32
Charlotte Antoinette Sweet	20	338.45
Valmora P. and Irma Barbara Johnson	21	338.45
Meredith L. Snedigar	22	364.60
H. Russell and Mabel L. Briggs	23	348.79
H. Russell Briggs	24	338.45
Bertha Armstrong	25	338.45
Clarence A. and Ruth M. Weaver	26	338.45
Joseph A. and Norma B. Gaska	27	338.45
Elmer L. and Fay H. Ballard	28	339.12

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Samuel Chafkin	1	\$389.30
W. O. Clapp, Jr.	2	348.12
Donald L. Hedgepeth	3	348.12
William M. and Garnetta L. Rackley	4	348.12
Norbert J. and Celeste Arendt	5	348.12
Laura L. Simms	6	348.12
Sylvestor N. Taylor	7	348.12
Daniel and Treva Lageson	8	348.12
Nora M. Ferguson	9	348.12
Darrell L. and Carla J. Kootstra	10	348.12
Grant E. Arnold	11	348.12
Harold Jerome and Margaret K. Santos	12	384.27

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Ronald C. and Cecilia A. Roberts	13	\$388.97
Eugene H. and J. Anita Mould	14	348.12
Irene Bonner	15	348.12
Roland D. Moore	Por.	522.17
Dr. Y. P. Sun	Por.	522.17
Anthony S. and Waneta Locono	19	348.12
George S. and Dorothea G. Reynolds	20	348.12
Gary S. and Kathleen C. Perow	21	348.12
Stephen R. Beck, Catherine Reins, and Curtis and Helen Beck	22	348.12
Anthony Bedford	23	348.12
Bobbie L. Arden and Jessie D. Tunsen	24	384.61

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
John F. Caratti	9	\$322.18
Wiley R. Martin	10	666.69
Sanuel D. Robinson	11	503.77
Charles F. Dotson	12	503.77
Steven A. and Linda L. Sanders	13	503.77
Roy A. Loretelli	14	503.77
Lure J. Johnson	15	480.30
Samuel Oppenheim	16	904.13
Eduardo Musante	Por.	566.78
Garon D. and Audrey A. Potter	3	307.35
Clyde Oden	4	307.35
John G. Jurinek	5	307.35
Vicki C. Decker	6	307.35
Malcolm C. Holmberg	7	307.35
Lena Lozano	13	361.36
Roger A. Williams	12	504.35

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
C. D. and Alice McKission	11	\$384.40
James H. Elliott	10	285.05
Elmwood Wallstrom	9	285.85
Gerald L. McKinsey	8	285.85
Robert L. Worthington	7	292.35
Gus F. Rathert	6	277.73
William A. Shultz	5	277.73
Delbert R. Rydquist	4	277.73
Kenneth D. Macomber	3	277.73
Kenneth H. Smith	2	277.73
Ronald W. Turner	1	284.07

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
E. B. Gregg	7	\$270.39
Glenn and Sue Ellen Ritchey, Jr.	8	263.95
William S. Merlynn S. Carr	9	291.80
Marybelle T. Clover	10	373.77
Douglas J. and Connie C. Harris	11	314.63
Austin K. and Sandy Ma	Por.	250.97
Pamela Cruz, Sammy Andondakis and		
Carolyn Andondakis	Por.	255.24
Jerome Phillip Breen	Por.	250.73
Floyd L. and Jeanine Faughn	Por.	250.72
Garth T. and Dixie E. Bolinder	5	250.72

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Harold A. Peterson	7	\$254.51
Robert R. Klamt	6	247.09
Arthur L. Myers	5	247.09
Everett G. Woodworth	4	247.12
Jay W. and Allison L. Osborne	3	241.49
Robert J. and Donna A. Munoz	2	240.27
Barry W. Highiet	1	256.21
Louis R. Haaze	14	247.46
Glen W. Holm	13	247.37
Richard R. Treadwell	12	247.24
Gilbert J. Nickerson	11	247.19
Eugene G. and Mary L. Wilkins	10	247.22
Philip Souza	9	247.34
Ray M. Putler	8	249.39

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

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Joe D. and Dale J. Hulin	15	\$237.01
Fraidon Babanejad	14	232.13
James Simvoulakis	13	232.13
Lillian M. Brown Moni	12	300.74
Fong Leong	11	166.15
Edward H. Youngman	1	268.78
Lloyd G. Ploutz	2	244.34
Karl W. and Donna G. Ebell	3	244.34
Richard D. Harris	4	428.43

BLOCK 6118 STETSON AVE./ALBANY AVE.--W. GRANGER AVE./PEARL STREET

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Paul A. Fisher	11	\$288.31
Frank Angelakis	12	295.11
Wesley Stambaugh	13	295.11
Wilbur G. Peck	14	295.11
Guillermo Villarreal	15	295.11
Walter Davies	16	295.11
Paule E. Choquette	17	295.11
Donald H. Foster	18	295.11
Joe S. Yanez	19	295.11
Mario Dali	20	295.11

Alice Hassey	1	295.11
David P. Tupper	2	295.11
Lahoma Stephens	3	295.11
Steven and Susan Powers	4	295.11
David A. Costa	5	295.11
Antonina Carpenter	6	344.29
Jeannie Wells	7	245.92
Elmer Dunn	8	295.11
Marjorie A. Hamby	9	295.11
David B. and Christy H. Walker	10	288.31

ACTION: Res. 85-960 adopted setting hearing. (Clerk to handle)

CONSENT

32. Set hearing for requirement of construction of curbs and/or sidewalks at the locations listed below.

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notice. Resolution setting hearing January 14, 1986, at 7:30 p.m. needed.)

- a. Sidewalk along Pearl Street at 1444 Del Vale Avenue, Lot 28 of Block 6080 (S. Dean Clark)
- b. Sidewalk along Rosina Avenue at 302 Rosina Avenue, a portion of Block 2031 (Richard Arevalo)
- c. Sidewalk along Rosina Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A (Michael Delfley, Jr.)
- d. Sidewalk at 207 and 211 Rosina Avenue, Lots 4 and 5 of Block 2132 (Rose K. Martin)
- e. Curb and sidewalk along Conejo Avenue at 306 Conejo Avenue, a portion of Block 2184-A (E. Curtis Camp)
- f. Sidewalk at 305 Conejo Avenue, Lot 12 of Block 2159 (William Hays)
- g. Sidewalk along Conejo Avenue at 204 Conejo Avenue, a portion of Block 2184 (Daniel R. Lamb)

ACTION: Res. 85-961 adopted setting hearing. (Clerk to handle)

CONSENT

33. Consider approval of LAFCO questionnaire indicating no opposition to the Kansas Avenue No. 5 Governmental Reorganization.

(Proponents propose annexation of the approximately 19.7 acre area located on the north side of Kansas Avenue west of Rosemore Avenue. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to a proposed Governmental Reorganization needed.)

ACTION: Res. 85-962 adopted responding favorably to Governmental Reorganization. (Planning to handle)

CONSENT

34. Consider approval of the final map of Cedar Brook No. 2 subdivision of the City of Modesto.
(The offsite improvements are existing, so no subdivision agreement is required. All fees are paid. Cedar Brook No. 2 is located on the north side of Scenic Drive west of Claus Road. It contains 3.219 acres. Resolution approving final map needed.)

ACTION: Res. 85-963 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

35. Appointments

None

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

None

ADJOURNMENT

This meeting adjourned at 5:42 p.m. to Thursday, December 19, 1985, at 8:00 a.m., at the Holiday Inn, 1612 Sisk Road, Modesto, for a meeting with Senator McCorquodale.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
December 19, 1985

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Holiday Inn, 1612 Sisk Road, Modesto, California.

Present: Councilmembers McGrath, Muratore, Whiteside, Mayor Mensinger

Absent: Councilmembers Lang, Patterson, Sutton

The Councilmembers met with Senator McCorquodale to discuss various pieces of legislation of interest to the City of Modesto.

The meeting adjourned at 10:00 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

12/19/85

Senator McCorquodale - Thursday, December 19, 1985, 8:00 a.m.
Sierra Room of the Holiday Inn

1. Labor Relations (Lamar Bartholomew)

SB 1398 (Dills), Binding Arbitration. Two-year bill. Council position - oppose.

SB 1254 (Dills), Unfair Labor Practices. Two-year bill. Council position - oppose.

2. Workers' Compensation Reform (Lamar Bartholomew)

AB 1000 (McAlister), Injured Workers' Income Security and Rehabilitation Act. Council position - support.

3. Liability Insurance (Lamar Bartholomew, Elwyn Johnson, and Mary Grogan)

Statewide ballot initiative identical to SB 75 (McAlister), Joint and Several Liability. Council position - support.

Problem with liability insurance above and beyond joint and several liability. Example, Tuolumne River Regional Park.

4. Transportation (Doug Carmody)

Farebox ratio study as a result of AB 4026 (Condit), 1984 session. Now that study is almost completed, we need legislative support so recommendations can become law.

Radar legislation. Possibility of ever changing 85th percentile speed.

Freeway modifications. The California Highway Commission has adopted policies that place up to 100% of the cost for freeway modification on the cities and counties.

5. Proof of Insurance (Gerald McKinsey)

Need for clean up legislation similar to SB 351 (Robbins), which Council supported. SB 850 (Robbins), 1984 session, requires motorists to show evidence of financial responsibility. SB 351 (Robbins) was vetoed by the Governor.

6. Nonpartisan Elections (Elwyn Johnson and Norrine Coyle)

ACA 7 (Mountjoy), Nonpartisan Elections. Council position - support.



MODESTO CITY COUNCIL

THIS MEETING WILL BE HELD IN LIEU OF THE REGULAR MEETING OF DECEMBER 24.

AGENDA FOR SPECIAL COUNCIL MEETING OF MONDAY, DECEMBER 23, 1985, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation:

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 15, 16,
17, 18, 19, 22, 23, 24, 25

Dropped from Agenda: 20

Removed from Consent: 13

ACTION: (Muratore/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 17, 1985, adjourned regular and regular City Council meetings.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Issuance of Series 1985 Waste Water Treatment Facility Revenue Bonds. (Memo with agenda. Resolution approving and ratifying the sale of bonds, approving form and distribution of the Official Statement, authorizing execution, delivery, and performance of the trust indenture, and authorizing staff to take actions required to close the sale needed.)

ACTION: Res. 85-964 adopted (Lang/Muratore, unan.) approving sale of bonds. (Finance to handle)

4. Consider modifying speed limit on La Loma and two other streets. (Memo with agenda. Proposed are one new radar-enforceable limit, renewal of one radar-enforceable limit, and changing the La Loma limit to a non-radar-enforceable limit 10 miles lower. Introduction of ordinance needed. Estimated cost: \$200; funds are budgeted.)

ACTION: By motion (Lang/Patterson, unan.) Ordinance 2396-C.S. introduced modifying speed limits on Sisk Road and Rosemore Street.
By motion (Lang/Muratore, majority, McGrath,Patterson-no) Ord. 2397-C.S. introduced setting LaLoma speed limit at 25 miles per hour with a review in six months. (Clerk/P.T. to handle)

BIDS

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened January 14, 1986, at 3:15 p.m. for furnishing annual tire recapping requirements. (An annual requirement, tires will be recapped intermittently throughout the 1986 year primarily for the Fire and Utility Services Departments on non-emergency vehicles such as buses, pool vehicles, etc. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 85-965 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider authorizing the City Manager to sign landscape maintenance agreement with Continental Landscaping for pump stations and lift stations. (Memorandum with agenda. Resolution approving landscape maintenance agreement needed. Estimated cost: \$19,200; funds are budgeted.)

ACTION: Res. 85-966 adopted approving agreement. (Finance to handle)

CONSENT

7. Consider waiving formal bid procedures and authorize the purchase of aerial truck repair and rental services from Pac Power for total price of \$30,000. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 85-967 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

8. Consider acceptance of Professional Landscaping Maintenance's contract for the irrigation and landscaping of the aviation parking area. Original contract and final cost: \$8,298
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 85-968 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Request of M.I.D. for abandonment of alley in Block 65, bounded by 10th, 11th, L and M Streets.
(Motion referring to Planning Commission needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

11. Discussion of recommendation concerning proposed International Friendship Commission.

ACTION: Res. 85-969 adopted (Lang/Sutton, unan.) creating the International Friendship Committee and directing staff to prepare a plan and charge for the Committee. (Mgr. to handle)

12. Consider request from Mid-Valley Engineering to authorize private water supply well at 573 Crows Landing Road.
(Council permission is required for each domestic water supply well. Memo with agenda. Resolution denying or giving permission to install private water supply well needed.)

ACTION: By motion (Muratore/Whiteside, unan.) this item delayed two weeks to allow staff to see if some alternative can be found. (Eng. to handle)

13. Consider approving placement of advertisement in the Modesto Bee's Annual Agriculture, Business and Industry Section.
(Memo with agenda. Motion approving 1/2 page advertisement needed. Estimated cost: \$1,083.60; funds are budgeted.)

ACTION: By motion (Whiteside/Muratore, unan.) approved a half-page ad in conjunction with the Chamber of Commerce highlighting the economic development partnership. (Mgmt. Services to handle)

14. Consider subject of 1985 Report to the People.
(Memorandum with agenda. Motion approving recommendation needed.
Estimated cost: \$4,400; funds are budgeted.)

ACTION: By motion (Sutton/Lang ,majority, Patterson-no) recommendation approved.
(Mgmt. Services to handle)

CONSENT

15. Request for refund of \$723.21 for overpayment of business license tax by
Quality Control Inspection.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 85-970 adopted approving refund. (Finance to handle)

CONSENT

16. Consider abandonment of excess right of way for Standiford Avenue west of
Prescott Road at Block 13430 of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning the excess right
of way for Standiford Avenue needed.)

ACTION: Res. 85-971 adopted abandoning the excess right of way. (Eng. to handle)

CONSENT

17. Consider acceptance of improvements in Pelandale Heights subdivision and
authorize the City Clerk to file Notice of Completion and release bonds
upon expiration of statutory periods. (Developer: Resource Development)
(Pelandale Heights subdivision is located south of Pelandale Avenue and
west of Blue Bird Drive. All improvements have been completed to the
satisfaction of the Engineering Department and fees have been paid.
Resolution accepting improvements needed.)

ACTION: Res. 85-972 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider approval of the final map of Villeurbanne subdivision of the
City of Modesto and authorizing an agreement with the subdividers as
required by Section 4-4.604(c) of the Modesto Municipal Code.
(Subdividers: Villeurbanne Valley Investors)
(The subdivision agreement has been signed and all fees paid.
Villeurbanne is located south of Rumble Road and east of Sisk Road. It
contains 2.966 acres. Resolution approving final map needed.)

ACTION: Res. 85-973 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider authorizing City Manager to sign City/County cooperative agreement for the California Avenue bridge across M.I.D. Lateral No. 5. (The project is of mutual benefit to the City and County and located such that it is necessary to provide for joint construction of the improvements. Work will include the installation of a concrete box culvert with head walls, sidewalks, railings and repaving. Construction is estimated at \$125,000, of which \$100,000 is from Federal Aid Urban and the remaining \$25,000 to be split equally by City and County. Resolution approving agreement needed.)

ACTION: Res. 85-974 adopted approving agreement. (Eng. to handle)

CONSENT

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

Dropped from agenda.

21. Early payment to County for City's share of Paradise Road project. (Memo with agenda. Motion approving payment needed, and resolution amending the 1985-86 Annual Budget to adjust reserves and establish the necessary appropriation needed.)

ACTION: By motion (Sutton/Lang, unan.) prepayment approved.
Res. 85-975 adopted (same vote) amending budget. (Finance to handle)

CONSENT

22. Staff recommendation for Housing Density Bonus for The Diehl Company. (In accordance with State law, staff recommends Ken Diehl be given a housing density bonus of two units in exchange for two rental units affordable to low-income households. Resolution approving a housing density bonus for Ken Diehl needed, and motion directing staff to prepare agreement with County Housing Authority for monitoring needed.)

ACTION: Res. 85-976 adopted approving a housing density bonus.
By motion, staff directed to prepare agreement with County Housing Authority. (Planning to handle)

CONSENT

24. Consider granting rights of way and easements to Turlock Irrigation District for electrical power line extensions needed to serve the Water Quality Control Plant Expansion Project at the remote ponds for Units 2 and 3. Turlock Irrigation District requires that easements be granted before the district will extend electrical power lines needed for temporary construction purposes. Memo with agenda. Resolution authorizing the City Manager to execute the right of way and easement grants needed.)

ACTION: Res. 85-977 adopted authorizing the right of way and easement grants. (Utility Services to handle)
12/23/85

CONSENT

25. Amend the Position Classification Plan and salary resolution for the following:

- a. Delete Microfilm and Graphics Technician
- b. Add Senior Construction Inspector and Traffic Engineering Technician
- c. Revise classes and salary range for Property Control Aide to Supply Specialist, Programmer Analyst (Finance) to Senior Programmer Analyst, Word Processing Trainee, Technician to Word Processing Technician I/II.
- d. Revise salary ranges for Computer Operator, Data Processing Manager, Housing Conservationist, Principal Management Analyst, Senior Computer Operator, Senior Microfilm Technician, Social Services Coordinator, Supervising Accountant, Supervising Construction Inspector.
- e. Amend classes of Airport Manager, Code Enforcement Specialist, Construction Inspector, Senior Building Inspector, and Senior Account Clerk to Administrative Clerk.

(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Estimated cost: \$16,151. Any adjustments not absorbed by salary savings will be made at the time of mid-year appropriations.)

ACTION: Res. 85-978 adopted amending Position Classification Plan.
Res. 85-979 adopted amending salary schedule.
(Management Services to handle)

MISCELLANEOUS

26. Appointments

None

27.

MATTERS TOO LATE FOR THE AGENDA

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

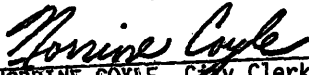
Cape Cod Villas Bond Approval

ACTION: Res. 85-980 adopted (Muratore/Whiteside, unan.) authorizing issuance of multi-housing revenue bonds for Cape Cod Villas Project.
Res. 85-981 adopted (same vote) authorizing bond counsel services of Warren James Beebe for the multi-family housing project of Pan Capital Inc.
(Planning to handle)

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

ATTEST:


NORRINE COYLE, City Clerk

12/23/85