

MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 3, 1984, 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: Mike Moore, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 10, 12, 13, 14, 15,

Removed from Consent: 16

ACTION: (Lang/Bright, 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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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 December 27, 1983, 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. 2233-C.S. rezoning from P-D(233) to R-2 and P-D(346) for a convalescent hospital, property located on the north side of Rumble Road east from Hahn Drive extended. (Robert Miller and Bill Colson)
- b. Ord. No. 2234-C.S. amending P-D(160) to allow conversion of existing duplex and triplex units to a stock cooperative, property located on each side of Randazzo Avenue north of Evergreen Avenue. (George Hartman)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider Airport Land Use Commission Plan and zoning consistency in the vicinity of the Airport.

ACTION: Res. 84-1/^{adopted}(Bright/Whiteside, unan.) adopting the finding that the City's zoning is consistent with the purposes of Article 3.5 of the California Public Utilities Code and overruling the Airport Land Use Commission.

BIDS

CONSENT

5. Consider rejecting all bids, approve new specifications, and authorize new call for bids to be opened January 24, 1984, at 3:00 p.m. for furnishing concession service at Beyer Park.
(Memorandum with agenda. Resolution rejecting bids and authorizing new bid call needed.)

ACTION: Res. 84-2 adopted rejecting bids and authorizing new call for bids.

(Finance to handle)

CONSENT

6. Consider declaring Mallott's Honda-Suzuki sole bidder and authorize the purchase of one traffic enforcement motorcycle from the firm for the total price of \$4,825.
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 84-3 adopted authorizing the purchase.

(Finance to handle)

WRITTEN COMMUNICATIONS

7. Request by Ecology Action to incorporate curbside recycling into the solid waste management program and the garbage collection rate.
(Sally C. Magnani and Lynn Darpinian have submitted recommendations on curbside recycling for discussion at the January 3, 1984 Council meeting. Staff has reviewed the proposals and recommends that this first be referred to the Council Solid Waste Committee for review as has been general practice in the past. Memo with agenda. Motion referring to Council Solid Waste Committee for review and recommendation needed.)

ACTION: By motion (Lang/Sutton, unan.) the request referred to the Council Solid Waste Committee and staff for review and recommendation. (Utility Services to handle)

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

None

NEW BUSINESS

9. Consider accepting new police building staff report and directing staff to proceed to next phase of the project.
(Memo with agenda. Motion accepting staff report and directing staff needed. Estimated cost: \$135,672; funds are budgeted.)

ACTION: By motion (Whiteside/Muratore, unan.) staff report accepted and staff directed to proceed with schematic design. (Police to handle)

CONSENT

10. Consider establishing a fee of \$50 for issuance of a Firearms Range Permit pursuant to Modesto Municipal Code Section 4-1.1102.
(Memo with agenda. Resolution establishing fee needed.)

ACTION: Res. 84-4 adopted establishing fee. (Police to handle)

11. Consider disposing of remaining lot tax funds and sites.
(Memo with agenda. Resolution authorizing three grant deeds needed, and motion directing staff to calculate the final fund balance to transfer to the Greater Modesto Relocatable Administration Agency needed.)

ACTION: Res. 84-5 adopted (Whiteside/Sutton, unan.) authorizing three grant deeds transferring sites to the Greater Modesto Relocatable Administration Agency.
By motion, staff directed to calculate the final fund balance to transfer to the GMRAA. (same vote)
(Planning/Finance to handle) 1/3/84

CONSENT

12. Consider directing staff to initiate construction of curbs on Village Road, using the authorities of the mandatory program.
(Memo with agenda. Motion directing staff to proceed needed. Estimated cost: \$2,130; funds are budgeted.)

ACTION: By motion, staff directed to proceed. (Eng. to handle)

CONSENT

13. Consider dissolving Sherwood Forest No. 1 Street Lighting Maintenance District, Hartman Highlands Lighting District, and Kingsbury Park Lighting District.
(Memo with agenda. Two resolutions dissolving lighting districts needed, and a resolution requesting dissolution of street lighting maintenance district and transfer of funds to City needed. Estimated cost: \$550; funds are budgeted.)

ACTION: Res. 84-6 adopted dissolving Hartman Highlands Lighting District.
Res. 84-7 adopted dissolving Kingsbury Park Lighting District.
Res. 84-8 adopted dissolving Sherwood Forest No. 1 Street Lighting Maintenance District and transferring funds to City of Modesto. (Finance to handle)

CONSENT

14. Consider proposed amendments to the Position Classification Plan as follows:
- a) Amend "Public Services Inspector" to "Assistant Public Services Officer."
 - b) Amend the class specifications of "Public Services Officer" and Zoning Inspector."
- (Salary levels remain the same. "Zoning Inspector" designation changes from management to non-management. Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classifications in the Salary Resolution needed.)

ACTION: Res. 84-9 adopted amending Position Classification Plan.
Res. 84-10 adopted amending salary schedule. (Mgmt. Services to handle)

CONSENT

15. Consider Loan to Redevelopment Agency.
(Staff recommends a loan to the Redevelopment Agency of \$25,000 to cover anticipated costs of consultants for the remainder of 1983-84. Memo with agenda. Resolution approving loan needed.)

ACTION: Res. 84-11 adopted approving loan to Redevelopment Agency. (Finance/Planning to handle)

MISCELLANEOUS

16. Legislation: Staff recommends opposing HR 4103 - Federal Cable Legislation. (Memo and attachments with agenda. Motion opposing HR 4103 - Federal Cable Legislation needed.)

ACTION: By motion (Whiteside/Patterson, unan.) HR 4103 opposed with contact to be made with members of the appropriate committee as well as Congressman Coelho, California Senators, and the California Cities for cable. (Mgmt. Services to handle)

17. Appointments

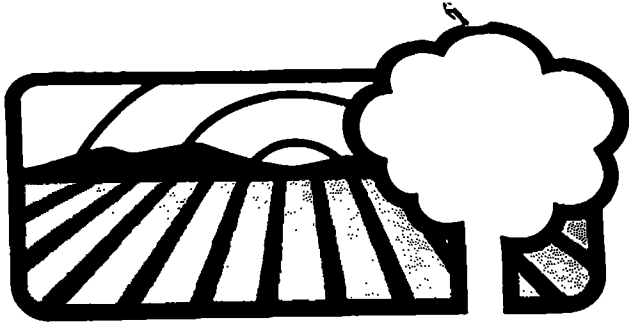
None

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

ADJOURNMENT

The meeting adjourned at 5:30 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 10, 1984, 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. Lonnie Skiles, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 10, 11, 12, 13, 14, 15

ACTION: (Sutton/Bright, 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 January 3, 1984, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider the selection of an alternate for Highway 132, "D" Street to Las Flores Avenue.

ACTION: Res. 84-12 adopted (Sutton/Lang, unan.) recommending plan Z-2 to Caltrans.
(Planning to handle)

4. Hearing to consider proposed amendments to the map of the Land Use and Circulation Elements of the Modesto Urban Area General Plan pertaining to the Brighton Avenue area and Richland Avenue/Freeway 99 interchange in Ceres.

ACTION: Res. 84-13 adopted (Muratore/Whiteside, unan.) amending the General Plan to delete the Brighton Avenue major street designation between Coffee Road and Scenic Drive, move the western boundary of Rose Park Neighborhood from Brighton Avenue to Coffee Road, and delete the Richland Avenue/Freeway 99 interchange.

Res. 84-14 adopted (Muratore/Whiteside, unan.) adopting the Revised Zoning and Development Plan for the Sunnyside-Brighton Area.

By motion (Muratore/Whiteside, unan.) staff directed to study the disposition of the excess right-of-way and make a recommendation to the Planning Commission for an ultimate recommendation to the City Council.

By motion (Muratore/Whiteside, unan.) staff directed to work with the County to develop alternatives and come back to the City Council with a position paper regarding the connection between Yosemite and Richland and crossing of the Tuolumne River.
(Planning to handle)

BIDS

CONSENT

5. Consider acceptance of Howk Well & Equipment Company's contract for the reconstruction of Pump Station No. 4. (Original contract and final cost: \$39,883)
(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. 84-15 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

6. Request by residents of Jacquelyn Way and Duckart Way to vacate and abandon the walkway in the block between Lorry and Nelda.
(Motion referring request to Planning Commission needed.)

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

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

None

NEW BUSINESS

8. Consider acceptance of Federal Construction Grant for water quality control plant improvements and disposal facilities (Unit 1 and Unit 4).
(The City has received a grant offer from the Environmental Protection Agency in the amount of \$9,262,500. It would be in order for the City Council to accept the grant offer and authorize the City Manager to execute the document on behalf of the City. Memo with agenda. Resolution accepting the grant offer and authorizing the City Manager to execute the offer on behalf of the City needed. Estimated total cost: \$12,350,000 (Federal \$9,262,500; State \$1,543,750; City \$1,543,750); funds are budgeted.)

ACTION: Res. 84-16 adopted (Lang/Muratore, unan.) accepting grant offer. (Utility Services to handle)

9. 1983 Urban Growth Policy Review recommendations from the Public Projects Committee.
(The Committee concludes that there is a need to initiate a sewer trunk extension at this time; that the Yosemite I sewer trunk be the designated extension; and that an advisory vote be placed on the November, 1984 general election ballot. Memo with agenda. Motion adopting recommendations of the Public Projects Committee needed.)

ACTION: By motion (Lang/Bright, majority, Whiteside and Mayor Mensinger - no) adopted recommendations of the Public Projects Committee. (Planning/Clerk to handle)

CONSENT

10. Consider the repeal of Modesto Municipal Code Section 4-7.402 which regulates the hours of newspaper vendors.
(It is no longer necessary to regulate newspaper vendors' hours; therefore, Section 4-7.402 is no longer required. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2235-C.S. introduced. (Clerk to handle)

CONSENT

11. Consider approving amendment to the Caltrans planning grant agreement for the Downtown Transportation Center.
(Memo with agenda. The extension would keep the \$11,250 State planning grant valid through June 30, 1984. The Center planning work is scheduled to be completed by about March 1, 1984. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-17 adopted approving amendment to agreement. (P.T. to handle)

CONSENT

12. Consider acceptance of improvements in Mills Garden subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Grant Construction)
(Mills Garden subdivision is located on the south side of Floyd Avenue at MacDougal Street. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-18 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

13. Consider approving lease agreement with Kias A. and Gwendolee Williams for the lease of five lots acquired for Tuolumne River Regional Park. (This is a one-year renewal of an existing lease. The Williams lease the subject lots at a nominal value for a garden, saving the City the responsibility of taking care of them. Resolution approving agreement needed.)

ACTION: Res. 84-19 adopted approving agreement. (Utility Services to handle)

CONSENT

14. Consider authorizing the City Manager to sign agreement with Guarantee Janitorial for janitorial services at American Legion Hall. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$4,600; funds are budgeted.)

ACTION: Res. 84-20 adopted approving agreement. (Finance to handle)

CONSENT

15. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services on our water quality control plant expansion project. (City staff has determined that relocation of a portion of the new 60-inch outfall line on the Unit 1 project from its current design location is desirable. Design engineering is needed. Memo with agenda. Resolution approving the amendment to agreement needed.)

ACTION: Res. 84-21 adopted approving amendment to agreement. (Utility Services to handle)

MISCELLANEOUS

16. Appointments

None

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

None

ADJOURNMENT

The meeting adjourned at 11:05 p.m. to 8:00 a.m., January 17, 1984, at the Yosemite Community College District Office, 2201 Blue Gum Avenue, Modesto, Ca.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 17, 1984, 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, 7, 8, 9, 11, 13, 14, 15, 16,
17, 18, 19

Dropped from agenda: 10

ACTION: (Whiteside/Patterson, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 10, 1984, regular City Council meeting.
(Motion approving needed.)

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

1/17/84

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2235-C.S. relating to limited hours for peddlers.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2235-C.S. adopted. (Clerk to handle)

4. Inquiry of Central Seventh Day Adventist Church, 17th and H Streets, regarding freestanding signs.
(Memo with agenda. Staff concludes that the church is only entitled to one freestanding sign, not two. Motion directing staff needed.)

ACTION: By motion (Whiteside/Muratore, unan.) this item was continued to February 7, 1984, 4:00 p.m. (Clerk to handle)

HEARINGS

5. Hearing to consider amendment to Section 10-3-9 of the Zoning Map to rezone from R-2 to P-D(347), property located on the south side of Sylvan Meadows Drive between Haig Way and Forest Glenn Avenue to allow a Girl Scout program service center. (Muir Trail Girl Scout Council)
Councilmember Whiteside and Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion, Ord. No. 2236-C.S. introduced.

Res. 84-22 adopted (Muratore/Sutton, unan., Whiteside & Mayor Mensinger absent) approving plan.

Res. 84-23 adopted (same vote) certifying review of Environmental Assessment.

6. Hearing to consider appeal of Mid-Valley Engineering, on behalf of Steve Marchick, Midas Muffler, to a Board of Zoning Adjustment decision concerning the landscape requirement and 5-foot setback requirement for a conditional use permit in the H-1 Zone for a muffler shop, property located on the west side of McHenry Avenue north of Union Avenue. (Clerk/Planning to handle)

ACTION: Res. 84-24 adopted (Bright/Lang, unan.) granting in part and denying in part the appeal. (Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for drilling, casing, testing and development of Well No. 49.
(Suggested bid opening: February 7, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$33,245 (contract \$28,745; engineering \$4,500): funds are budgeted.)

ACTION: Res. 84-25 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction and/or repair of curbs, sidewalks and alleys in the Housing Target Area No. 3 - Phase II. (Suggested bid opening: February 7, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$298,857.35 (contract \$271,688.50; engineering \$27,168.85); funds are budgeted.)

ACTION: Res. 84-26 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider declaring Action Sports, Val'Sports, Inc., BSN Corp., Fraser-Edwards Sports, Mohinder Sports, Inc., Westar Sporting Goods, Inc., and Athletic Supply of California the lowest bidders meeting specifications and authorizing the issuance of purchase orders for the respective items bid. (Memorandum with agenda. Resolution declaring seven companies low responsible bidders and authorizing the issuance of purchase orders needed. Estimated cost: \$8,089; funds are budgeted.)

ACTION: Res. 84-27 adopted authorizing issuance of purchase orders. (Finance to handle)

CONSENT

10. Consider declaring U. S. Tire Sales and Service overall low bidder for furnishing the City's annual tire recapping requirements. (Memorandum with agenda. Resolution declaring U. S. Tire Sales and Service overall low bidder and authorizing the purchase needed. Estimated cost: \$20,000; funds are budgeted.)

Dropped from agenda.

CONSENT

11. Consider acceptance of Anthony Cartisano & Sons' contract for the construction of curb ramps - Project No. 5. (Original contract and final cost: \$30,866) (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. 84-28 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

- 12A. Request of Larry Dovichi, Modesto Bee Display Advertising Manager, for the City to Place an advertisement in the 1984 Agriculture, Business & Industry section to be published Saturday, January 28, 1984.

ACTION: By motion (Lang/Muratore, majority, Surrón, Whiteside & Mayor Mensinger - no) it was agreed to place an advertisement as requested by the Modesto Bee. (Mgr. to handle)

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

None

NEW BUSINESS

CONSENT

13. Introduction of ordinances to adopt 1982 editions of the Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Housing Code, and 1981 edition of the National Electrical Code.
(Memorandum with agenda. Introduction of six ordinances needed.)

ACTION: By motion, Ord. No. 2237-C.S. introduced adopting 1982 Uniform Building Code.
By motion, Ord. No. 2238-C.S. introduced adopting 1982 Uniform Plumbing Code.
By motion, Ord. No. 2239-C.S. introduced adopting 1982 Uniform Mechanical Code.
By motion, Ord. No. 2240-C.S. introduced adopting 1982 Uniform Housing Code.
By motion, Ord. No. 2241-C.S. introduced adopting 1981 National Electrical Code.
By motion, Ord. No. 2242-C.S. introduced repealing Code relating to television antennas.
(Clerk to handle)

CONSENT

14. Requirement for construction of curbs and/or sidewalks at the locations listed below:
(82/05/09 - 83/03/12)
(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 February 14, 1984, at 7:30 p.m. needed.)

- a. Sidewalk at 1125 Amherst Avenue, a portion of Block 842.
(Ronald W. Posey)
- b. Curb and sidewalk at 713 California Avenue, a portion of Block 4104.
(Christine D. Harmon)
- c. Curb and Sidewalk at 725 California Avenue, a portion of Block 4104.
(Bill Weinmaster)
- d. Curb and sidewalk at 821 California Avenue, a portion of Block 4104.
(Westside Neighborhood Church)
- e. Curb and sidewalk along California Avenue at 717 Spencer Avenue, a portion of Block 4104. (Carolyn F. Johnson Gamble)
- i. Sidewalk along Florida Avenue at 1430 Florida Avenue, a portion of Block 6059-A (James H. Towle)
- g. Curb and sidewalk at 164 E. Granger Avenue, a portion of Block 1235.
(Deborah Lenser)

CONSENT

14. (Continued - Curbs and/or Sidewalks construction requirements.)

- h. Curb and sidewalk at 200 E. Granger Avenue, a portion of Block 1235.
(Max Kleinknecht)
- i. Curb at 165 Village Road, a portion of Block 259. (Evert R. Stedman)
- j. Curb at 169 Village Road, Lot 16 of Block 259 (Robert A. Canfield)
- k. Curb along Village Road a 225 Las Palmas Avenue, a portion of Block 259.
(Gary E. Thomas)

ACTION: Res. 84-29 adopted setting hearing.

(Clerk to handle)

CONSENT

15. Consider authorizing the issuance of three checks in the total amount of \$8,535 to compensate the underlying fee owners of the City's outfall easement for damages to the surface of that easement for Unit 1 - Wastewater Treatment Improvements. (The City agreed as part of the purchase of these easements, to compensate the owners for future damages resulting from future construction. Memo with agenda. Resolution authorizing checks needed. Funds are budgeted.)

ACTION: Res. 84-30 adopted authorizing issuance of checks.

(Utility Serv. to handle)

CONSENT

16. Presentation of monthly financial statement for December, 1983.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

17. Consider the following actions with respect to Improvement District No. 25.

- a) Resolution approving Engineer's Report on proposed improvements and appointing time and place for hearing protests to said improvements and calling for bids on said improvements (Suggested bid opening: February 7, 1983, at 3:00 p.m.)
- b) Resolution of preliminary determination that the public convenience and necessity require the construction of the public improvements to be paid for by special assessment, describing the proposed improvements and setting hearing February 21, 1984, at 4:00 p.m.

(On November 2, 1983, the City Council adopted the first four resolutions initiating the proceedings for Improvement District No. 25. It is now in order for the Council to take action on the next two resolutions. Memo with agenda. Adoption of two resolutions needed. Estimated cost: \$54,568; funds are budgeted.)

ACTION: Res. 84-31 adopted calling for bids.

Res. 84-32 adopted setting hearing.

(Clerk/Eng. Services to handle)

CONSENT

- 18. Consider resolution approving the addition of Lincoln Avenue from Yosemite Boulevard to Scenic Drive to the Federal Aid Urban System.
(The addition of Lincoln Avenue from Yosemite Boulevard to Scenic Drive to the Federal Aid Urban System will make Lincoln Avenue eligible for Federal-Aid funding for road construction and the crossing of Dry Creek. Resolution needed.)

ACTION: Res. 84-33 adopted approving the addition of Lincoln Avenue to the Federal Aid Urban System. (Eng. Services to handle)

MISCELLANEOUS

CONSENT

- 19. Legislation: Staff recommends opposing AB 1958 (Waters) - Absentee Ballot Procedures. (Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

- 20. Appointments

None

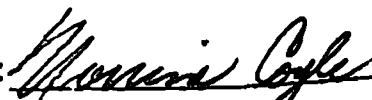
- 21. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

- 22. CLOSED SESSION
(Closed session to consider a personnel matter.)

ADJOURNMENT

The meeting adjourned at 4:50 p.m. to closed session.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
January 17, 1984

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Yosemite Community College District Office, 2201 Blue Gum Avenue, Modesto, California.

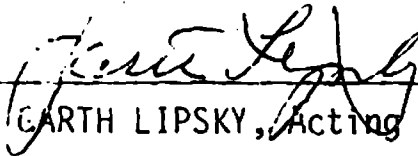
Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

Absent: None

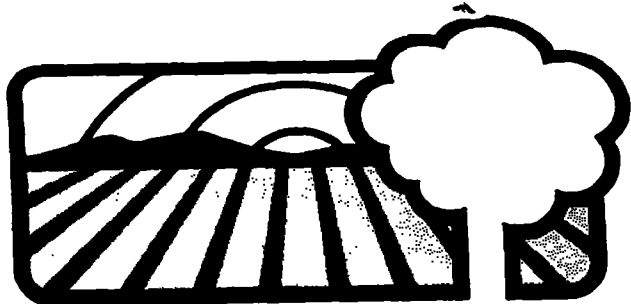
The Councilmembers had a discussion of City goals and objectives.

The meeting adjourned at 1:30 p.m.

ATTEST:



GARTH LIPSKY, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 24, 1984, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12,
13, 14, 17, 18, 19, 20, 21, 22a

ACTION: (Lang/Whiteside, 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 17, 1984, 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. 2237-C.S. relating to the Building Code.
- b. Ord. No. 2238-C.S. relating to the Plumbing Code.
- c. Ord. No. 2239-C.S. relating to the Mechanical Code.
- d. Ord. No. 2240-C.S. relating to the Housing Code
- e. Ord. No. 2241-C.S. relating to the Electrical Code
- f. Ord. No. 2242-C.S. repealing Article 10 of Chapter 7 of Title IV of the Municipal Code relating to television antennas.

(Motion adopting needed.)

ACTION: By motion, ordinances were adopted.

(Clerk to handle)

4. Final adoption of Ord. No. 2236-C.S. rezoning from R-2 to P-D(347), property located on the south side of Sylvan Meadows Drive between Haig Way and Forest Glenn Avenue. (Wair Trail Girl Scout Council)
(Motion adopting needed.) (Mayor Mensinger and Councilmember Whiteside will be excused due to conflicts of interest.)

ACTION: By motion (Muratore/Patterson, unan., Councilmember Whiteside and Mayor Mensinger absent) Ord. No. 2236-C.S. adopted.

(Clerk to handle)

HEARINGS

5. Hearing to consider authorizing the filing of a federal transit capital grant application for the proposed Downtown Transportation Center and the new bus maintenance facility.
adopted

ACTION: Res. 84-34/(Lang/Sutton, unan., Mayor Mensinger absent) authorizing filing application. (P.T. to handle)

6. Hearing to consider the proposed amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-D(348), to allow a 15-unit one-story apartment development, property located on the north side of Fairmont Avenue west of Coffee Road.
(C. Dwaine Carver)

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) Ord. No. 2243-C.S. introduced.

Res. 84-35 adopted approving plan (same vote).

Res. 84-36 adopted certifying review of Environmental Assessment (same vote).
(Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened February 21, 1984, at 3:00 p.m. for furnishing fire hose.
(Requested by the Fire Department, the hose will replace damaged, worn, or obsolete fire hose presently on hand. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION: Res. 84-37 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider award of contract for the replacement of M.I.D. Irrigation line along Emerald Avenue and across Kansas Avenue.
(Bids were opened on January 10, 1984. The low bidder has requested that his bid be withdrawn. Memo with agenda. The Engineering Department recommends that the low bidder be relieved of his bid due to the clerical errors made and that the contract be awarded to the second low bidder, Three Rivers Construction, whose bid is 7.6% below the engineer's estimate and considered acceptable. Bid tabulation with agenda. Resolution awarding contract to Three Rivers Construction needed. Estimated cost: \$29,455; funds are budgeted.)

ACTION: Res. 84-38 adopted awarding contract. (Eng. Services to handle)

CONSENT

9. Consider purchasing one sewer rodder truck from Dow Hammond for the total purchase price of \$33,607.
(Memorandum with agenda. Resolution authorizing the purchase from Dow Hammond needed. Funds are budgeted.)

ACTION: Res. 84-39 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider declaring Dunne Quality Paints overall low bidder for the City's annual requirements of maintenance paint.
(Memorandum with agenda. Resolution declaring Dunne Quality Paints overall low bidder and authorizing the purchase needed. Estimated cost: \$6,100; funds are budgeted.)

ACTION: Res. 84-40 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider declaring The Tire Store overall low bidder for furnishing the City's annual tire recapping requirements.
(Memorandum with agenda. Resolution declaring The Tire Store overall low bidder and authorizing the purchase needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 84-41 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider final acceptance of nine new Gillig buses and authorizing final payment. (Memo with agenda. Gillig Corporation has now delivered the destination curtains for the buses. This completes the \$1,234,350 contract for the buses. A partial payment of \$1,230,750 was made on the buses on September 27, 1983, leaving a balance of \$3,600 owed to Gillig. An approved UMTA grant covers 80% (\$987,480) of the cost. The remaining 20% (\$246,870) is covered with Local Transportation Funds. Resolution accepting nine new buses and authorizing final payment needed. Funds are budgeted.)

ACTION: Res. 84-42 adopted accepting nine new buses and authorizing final payment.
(P.T. to handle)

CONSENT

13. Consider a request by Kaweah Construction Co. for a reduction in retention and release from maintenance on the Water Quality Control Plant Expansion Project, Unit 4. (The project is substantially complete except for a few minor items of construction and final contractual paperwork. The contractor's requests are based on this fact. Memo with agenda. Resolution finding project to be substantially complete, reducing retention to 2% of contract amount, and releasing Kaweah Construction from maintenance needed.)

ACTION: Res. 84-43 adopted accepting as substantially complete, reducing retention and releasing Kaweah Construction from maintenance. (Utility Services to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Request by Harlan Smith, Modesto Camellia Society, for the City of Modesto to donate the Sweepstakes Trophy for the Camellia Show to be held on March 17 and 18, 1984. (Motion approving request needed.)

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

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

16. Consider conceptual design for the Downtown Transportation Center.
(Memo with agenda. The City's architectural/engineering consultant, Parsons Brinckerhoff, Inc., will present the preliminary plan that has been developed in concert with several City departments. Motion approving the conceptual design or otherwise directing staff needed.)

ACTION: By motion (Whiteside/Muratore, unan., Mayor Mensinger absent) design approved
and staff directed to proceed. (P.T. to handle)

CONSENT

17. Consider establishing Operating Budget for the Methane Gas Generation Fund.
(Memo with agenda. Resolution amending the Annual Budget for fiscal year 83-84 to estimate revenue and appropriate funds for the Methane Gas Generation Fund needed.)

ACTION: Res. 84-44 adopted amending Annual Budget. (Finance to handle)

CONSENT

18. Consider approving letter agreement with Les Page for consulting services for CATV franchise negotiations.
(Memo with agenda. Resolution approving letter agreement needed. Estimated cost: \$8,105; funds to cover cost will be requested at time of mid-year budget adjustment.)

ACTION: Res. 84-45 adopted approving letter agreement. (Planning to handle)

CONSENT

19. Overall Economic Development Plan Update.
(Stanislaus County is in the process of updating their Overall Economic Development Plan and is asking agencies to submit project proposals for possible funding by the Economic Development Administration. Staff recommends the Modesto City Council submit expansion of the downtown multi-level parking facility as their suggested project. Memo with agenda. Motion accepting staff recommendations needed. Estimated total cost: \$1,500,000 (EDA grant application \$750,000; local funds \$750,000).

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

CONSENT

20. Consider resolution commending California Elected Women's Association for Education and Research on the occasion of its 10th Anniversary.
(Resolution needed.)

ACTION: Res. 84-46 adopted commending California Elected Women's Association for Education and Research. (Mgr. to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends supporting:

- AB 1451 (Elder) Two-Tier Retirement for Local Agencies
SB 1065 (Russell) Workers' Compensation: Public Safety Workers: Heart
Trouble Presumption

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

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

22. Appointments

CONSENT

- a. Consider reappointing Carole Davis to the Board of Zoning Adjustment.
(On January 3, 1984, the Planning Commission adopted Res. No. 84-7 recommending
to the City Council that Carole Davis be reappointed to the Board of Zoning
Adjustment for the remainder of her term on the Planning Commission, which
expires December 31, 1987. Resolution reappointing Carole Davis needed.)

ACTION: Res. 84-47 adopted reappointing Carole Davis, term to expire 12/31/87.
(Clerk to handle)

b. Other

None

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

None

ADJOURNMENT

(This meeting will be adjourned to 8:00 a.m., Tuesday, January 31, 1984, City Hall,
801 11th Street, for a field trip to Salinas to tour Salinas Community Center, and
then to Thursday, February 2, 1984, at 7:00 p.m., Holiday Inn, 1612 Sisk Road,
Modesto, for a meeting with the Chamber of Commerce Executive Committee.)

The meeting adjourned at 8:27 p.m. to 8:00 a.m., January 31, 1984, at City Hall, and
then to 7:00 p.m., February 2, 1984, at Holiday inn.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
January 31, 1984

The Council of the City of Modesto met pursuant to adjournment
at 8:00 a.m., City Hall, 201 - 11th Street, Modesto, California.

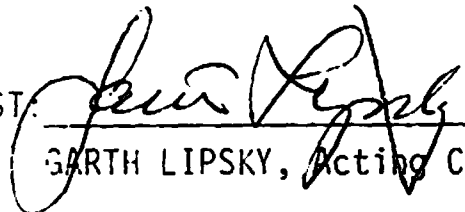
Present: Councilmembers Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

Absent: Councilmember Bright

The Councilmembers had a tour of the Salinas Community Center.

The meeting adjourned at 4:20 p.m.

ATTEST:


GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
February 2, 1984

The Council of the City of Modesto met pursuant to adjournment at 7:00 p.m., at the Holiday Inn, 1612 Sisk Road, Modesto, California.

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

Absent: None

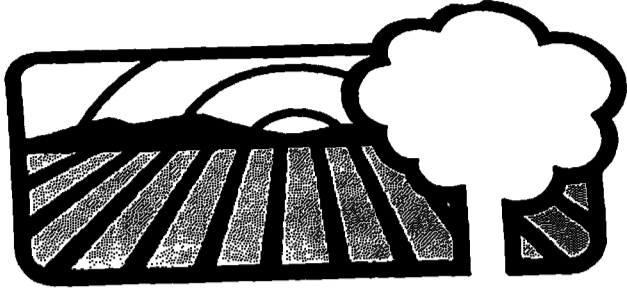
Chamber of Commerce representatives gave an audio-visual presentation that will be used to encourage businesses to locate in Modesto.

Reports were made and discussions were held on the following topics:

Status of the City-Chamber of Commerce partnership;
Activities of the National League of Cities International
Economic Development Task Force;
Status of the Agritrade and Community Center;
Problems with air service;
Tourism plans.

The meeting adjourned at 9:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 7, 1984, 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. Dan Clark, Modesto Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36

Removed from consent: 5, 30

ACTION: (Patterson/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced members and leaders of Girl Scout Troop No. 404.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of January 17, 1984, and the regular City Council meeting of January 24, 1984.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Inquiry of Central Seventh Day Adventist Church, 17th & H, regarding free-standing signs.

(Memo with agenda. Staff concludes that the church is only entitled to one freestanding sign, not two. Motion directing staff needed.)

ACTION: By motion (Muratore/Whiteside, unan.) the Church was encouraged to apply to the Board of Zoning Adjustment for a variance. (Planning to handle)

4. Consideration of staff report regarding pit bull terriers.

(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Whiteside, unan.) staff directed to study and recommend revisions to the vicious dog ordinance. (Atty. to handle)

5. Consider switching Dial-A-Ride (DAR) funding from Article 4 to Article 8 of the Transportation Development Act (TDA) and authorizing the City Manager to file an amended claim for the 1983-84 fiscal year.

(Memo with agenda. The switch would allow the City to set DAR fares without being concerned with attaining a State-mandated farebox ratio and still remain eligible for TDA funds. Additionally, it is recommended that staff be directed to work with SAAG in the development of DAR performance criteria other than a farebox ratio and that staff develop a report for consideration of a reduced DAR fare. Resolution authorizing the funding switch and filing of an amended TDA claim needed. Motion approving recommendations needed.)

ACTION: Res. 84-48 adopted (Muratore/Sutton, unan.) authorizing funding switch and filing of amended claim.

By motion (same vote) staff directed to work with the legislators on a bill to CONSENT provide for a study of fare box ratios. (P.T. to handle)

6. Consider approving policy for leaving wood from felled trees.

(Current policy requires all wood from City tree removals be hauled away. This new policy would establish a procedure in which property owners, at their request, could keep the wood from felled trees. Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 84-49 adopted approving policy. (P.R. to handle)

CONSENT

7. Final adoption of Ord. No. 2243-C.S. relating to rezoning from R-1 to P-D(348), to allow a 15-unit one-story apartment development, property located on the north side of Fairmont Avenue west of Coffee Road (C.Dwaine Carver).

(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2243-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

8. Consider acceptance of Joe Martin's contract for the construction of waterline extension in Block 101. Original contract \$14,998.62.
(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. Estimated Cost: \$14,046.42. Funds are budgeted.)

ACTION: Res. 84-50 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Sierra Roofing's contract for roof repair of Parking and Traffic building at City Corporation Yard, Block 436, as complete.
(All work on this project has been completed to the satisfaction of the Engineering and Parking and Traffic Departments. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Estimated Cost: \$11,700. Funds are budgeted.)

ACTION: Res. 84-51 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the reconstruction of the general aviation area tiedown.
(Suggested bid opening: February 28, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$183,107.06, (Contr. \$174,387.68; Eng. \$8,719.38). Funds are budgeted.)

ACTION: Res. 84-52 adopted calling for bids. (Eng. to handle)

CONSENT

11. Consider declaring National Car Rental low bidder meeting City specifications and authorize the purchase of four used cars for the total price of \$33,899.
(Memorandum with agenda. Resolution authorizing the purchase of four used cars from National Car Rental. Funds are budgeted.)

ACTION: Res. 84-53 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of water pump repair services from Osterberg and Stewart for the total price of \$5,136.
(Memorandum with agenda. Resolution authorizing the purchase of materials and labor to repair Water Pump #44 needed. Funds are budgeted.)

ACTION: Res. 84-54 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of traffic signal repair parts from Econolite Corporation for the total amount of \$9,041. (Requested by the Utility Services Electrical Division, the parts will be used to repair Econolite traffic signals located throughout the City. Repairs are done on a regular basis throughout the fiscal year. Econolite Corporation, located in Foster City, is the sole supplier for the parts. Resolution waiving formal bid procedures and authorizing the purchase of traffic signal parts needed. Funds are budgeted.)

ACTION: Res. 84-55 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider authorizing the City Manager to sign a concession service contract for Beyer Park with Isaac M. Esho. (Memorandum with agenda. Resolution authorizing City Manager to sign a concession service contract with Isaac M. Esho needed.)

ACTION: Res. 84-56 adopted authorizing City Manager to sign a concession service contract. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Consider approval of policy that would allow groups to reserve the Enslin Park horseshoe facility, as requested by Deen Claxton. (Current policy states that usage of Enslin Park horseshoe facility is on a first-come, first-served basis. Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 84-57 adopted approving policy. (P.R. to handle)

CONSENT

16. Letter from Peter R. Dutton resigning from the Human Relations Commission. (Resolution accepting with regret needed.)

ACTION: Res. 84-58 adopted accepting with regret. (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. Consider Fairway Neighborhood Park Master Plan. (An oral presentation of the Master Plan for the above-mentioned park will be made by Steve Lang of Recreation Systems, Inc. Motion approving master plan needed.)

ACTION: By motion (Lang/Muratore, unan.) master plan approved. (P.R. to handle)

19. Consider Lakewood Neighborhood Park Master Plan.
(An oral presentation of the Master Plan for the above-mentioned park will be made by Steve Lang of Recreation Systems, Inc. A copy of the master plan report is included with the agenda. Motion approving master plan needed.)

ACTION: By motion (Muratore, Whiteside, unan.) master plan approved. (P.R. to handle)

CONSENT

20. Consider consenting to rescission of Declaration of Covenants, Conditions and Restrictions for Racquet Club Townhouses Subdivision, and approving recordation of a revised Declaration.
(The City Council approved the final subdivision map of the Racquet Club Townhouses Subdivision on August 9, 1983, and the required set of Covenants, Conditions and Restrictions were recorded on August 10, 1983. The developer has requested that the City consent to a rescission of the original Declaration, and approve recordation of a revised Declaration, in order to accommodate changes in the project which are of no concern to the City. The developer's proposal is acceptable to staff. Resolution consenting to a rescission of the Declaration of Covenants, Conditions and Restrictions for Racquet Club Townhouses Subdivision, and approving the recordation of a revised Declaration of Covenants, Conditions and Restrictions for said subdivision needed.)

ACTION: Res. 84-59 adopted consenting to a rescission and approving recordation.
(Clerk to handle)

CONSENT

21. Consider Program Supplement No. 20 to the Local Agency - State Agreement No. 10-5059.
(This is another step in the process of obtaining Federal funds for the reconstruction of Oakdale Road from Briggsmore to Floyd. Each supplement to the master agreement relates to a specific project. The objective is to reconstruct Oakdale Road to make it withstand the increasingly heavy traffic load. Resolution approving the supplemental agreement needed.)

ACTION: Res. 84-60 adopted approving the supplemental agreement. (Eng. to handle)

CONSENT

22. Consider acceptance of State construction grant for Water Quality Control Plant improvements and disposal facilities (Units 1 and 4).
(The City has received a grant offer from the State Water Resources Control Board in the amount of \$1,543,750. It would be in order for the City Council to accept the grant offer and authorize the City Manager to execute the document on behalf of the City. Memo with agenda. Resolution accepting the grant offer and authorizing the City Manager to execute the offer on behalf of the City needed. Estimated Cost: \$12,350,000 (Federal \$9,262,500; State \$1,543,750; City \$1,543,750.) Funds are budgeted.)

ACTION: Res. 84-61 adopted accepting the grant offer. (Utility Services to handle)

CONSENT

23. Consider authorizing issuance of new check in the amount of \$355 for David Verissimo et ux to compensate them for damages to the surface of the parallel outfall easement crossing their property.
(At their 1/17/84 meeting, the City Council authorized the issuance of a \$285 check for the Verissimos. The Verissimos have changed the use of their property and higher compensation is warranted. Resolution authorizing new check and partial rescision of Resolution 84-30 needed. Funds are budgeted.)

ACTION: Res. 84-62 adopted authorizing new check and partial rescision of Res. 84-30.
(Utility Services to handle)

CONSENT

24. Consider appropriation transfer to provide funding for professional services at the Modesto City-County Airport/Harry Sham Field.
(An appropriation transfer is necessary to provide funds to pay the contractor who was awarded damages by the courts as a result of litigation from the construction of T-Hangar "J" at the Modesto City-County Airport/Harry Sham Field. Resolution approving appropriation transfer needed. Estimated Cost: \$4,418. Funds are budgeted.)

ACTION: Res. 84-63 adopted approving appropriation transfer. (Finance to handle)

CONSENT

25. Consider approving agreement with W.P. Wesson, Jr. for the lease of 2.66+ acres of Wesson Ranch Park site.
(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, etc. Mr. Wesson pays the City \$1/year and pays taxes. Resolution approving agreement needed.)

ACTION: Res. 84-64 adopted approving agreement. (Utility Services to handle)

CONSENT

26. Consider approving lease agreement and amendment to agreement with John and Paula Humphrey for the lease of the former Moody house at 2840 Lincoln Avenue and the former Doidge pasture.
(The lease agreement is a one-year renewal of an existing lease. Rent stays the same at \$300 per month. The amendment is to change the insurance clause to reflect the type of insurance the Humphreys carry on the pasture. Two resolutions approving lease agreement and amendment to lease agreement needed.)

ACTION: Res. 84-65 adopted approving lease agreement.
Res. 84-66 adopted approving amendment to lease agreement with regard to the type of insurance the Humphreys carry on the pasture. (Utility Serv. to handle)

CONSENT

27. Consider approving lease agreement with Esco Aviation for the lease of Hangar No. 2, Office Building No. 2, 25 tie-downs and fuel island No. 2 at the Airport.
(Esco Aviation was the successful proposer to fill the vacant full service FBO at the Airport. The lease is for one year. Esco will pay the rates as established by Council. Staff has reviewed their qualifications and recommend approval. Memo with agenda. Resolution approving agreement and resolution permitting Esco Aviation to operate as a fixed base operator needed.)

ACTION: Res. 84-67 adopted approving agreement.
Res. 84-68 adopted permitting Esco Aviation to operate as a fixed base operator.
(Utility Services to handle)

CONSENT

28. Consider approving request for termination of lease from Valley Freight Express. (Valley Freight Express has been leasing 500 sq. ft. of the Airport terminal for the last 3½ years. They now wish to terminate this lease as of February 29, 1984, stating it has become impractical for them to operate at the Airport. Since the present lease was to expire on April 30, 1984, anyway, staff recommends approval of their request. Resolution approving termination of lease needed.)

ACTION: Res. 84-69 adopted approving termination of lease. (Utility Services to handle)

CONSENT

29. Consider agreement for archaeological consulting services with Dr. L.K. Napton of The Institute for Archaeological Research, California State College, Stanislaus, to conduct a subsurface investigation for the Water Quality Control Plant Expansion Project.

(An archaeological site exists in an area where construction is proposed. An investigation is necessary before any work can be done. Memo with agenda. Resolution approving agreement needed. Estimated Cost: 9,801. Funds are budgeted.)

ACTION: Res. 84-70 adopted approving agreement. (Utility Services to handle)

30. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services on the Water Quality Control Plant Expansion Project. (In cooperation with the State Division of Water Quality, the proposed design of the Unit 2 Project needs to be changed to provide additional methods of secondary treatment at the remote ponds. Design engineering is needed. Memo with agenda. Resolution approving the amendment to agreement needed. Estimated Cost: \$429,700. Funds are budgeted.)

ACTION: Res. 84-71 adopted (Patterson/Lang, unan.) approving amendment to agreement. (Utility Services to handle)

CONSENT

31. Consider amending Section 4-2.08 of the Municipal Code relating to landing of aircraft at established airports.

(The present Code addresses the landing of aircraft and not the take-off operation and has not been revised since February 20, 1958. In addition, it does not provide for the use of a helicopter during construction projects. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2244-C.S. introduced. (Clerk to handle)

CONSENT

32. Consider excusing Mayor Mensinger for being absent from the January 24, 1984, City Council meeting due to her attendance at the U.S. Conference of Mayors meeting. (Motion excusing needed.)

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

CONSENT

33. Recommend Council resolutions commending Alfonso Pelayo and Margaret Zabel for their years of service on the Human Relations Commission.
(Proposed resolutions with agenda. Adoption of two resolutions needed.)

ACTION: Res. 84-72 adopted commending Alfonso Pelayo for years of service.

Res. 84-73 adopted commending Margaret Zabel for years of service.
(Mgmt. Services to handle)

CONSENT

34. Consider approval of the preapplication for federal grant for Modesto City-County Airport/Harry Sham Field for two projects involving construction of a passenger terminal access road and a helicopter landing pad.

(An access road is proposed to be constructed between the passenger terminal and Riverside Drive to provide better access for air travelers coming to and from the Airport from the south. The second project is for constructing a helicopter landing pad. These projects are eligible for federal funding. Memo with agenda. Resolution approving reapplication needed. Estimated Cost:\$276,400 (Federal \$248,760; County \$13,820; City \$13,820). Funds are budgeted.)

ACTION: Res. 84-74 adopted approving reapplication. (Utility Serv. to handle)

CONSENT

35. Consider application for encroachment permit to install four guard posts in the alley at the corner of 7th and I Streets. Applicant is United Pentacostal Church. The purpose of the guard posts is to prevent blockage of exits on building that is being reconstructed for use as a church.

(Memo with agenda. Adoption of resolution needed.)

ACTION: Res. 84-75 adopted approving encroachment permit. (Eng. to handle)

MISCELLANEOUS

CONSENT

36. Legislation: Staff recommends opposing SB 1016 (Montoya)- Contractors: Exemptions from Licensure; and supporting AB 203 (Hannigan)-Redevelopment Reform.
(Memo and attachments with agenda. Motion accepting staff recommendations needed.)

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

37. Appointments

None

38.

MATTERS TOO LATE FOR THE AGENDA

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

None

39.

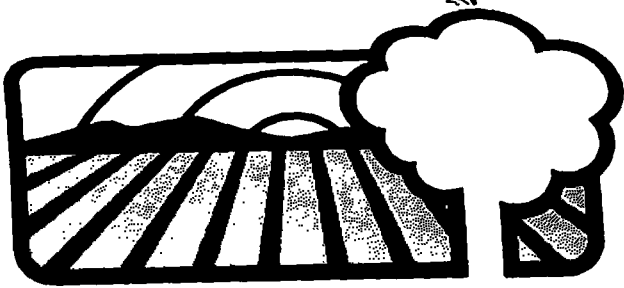
CLOSED SESSION

(Closed session to consider a personnel matter.)

ADJOURNMENT

The meeting adjourned at 5:40 p.m. to closed session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 14, 1984, 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. Mel Turner, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 10, 11, 12, 16, 17, 18

Removed from Consent: 9, 15

ACTION: (Bright/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.)

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Meritorious Certificate awarded to the City of Modesto by the California Society of Municipal Finance Officers for financial reporting excellence - Fiscal Year 1982-83.
(Memo with agenda.)

ACTION: Mayor Mensinger presented the award to Finance Director Pete Brock.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meetings of January 31, 1984 and February 2, 1984, and the regular City Council meeting of February 7, 1984.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2244-C.S. relating to take off or landing of aircraft at other than established airports.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2244-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider requirement for construction of curbs and/or sidewalks at the following locations: (82/05/09 - 83/03/12)
- a. Sidewalk at 1125 Amherst Avenue, a portion of Block 842.
(Ronald W. Posey)
 - b. Curb and sidewalk at 713 California Avenue, a portion of Block 4104.
(Christine D. Harmon)
 - c. Curb and Sidewalk at 725 California Avenue, a portion of Block 4104.
(Bill Weinmaster)
 - d. Curb and sidewalk at 821 California Avenue, a portion of Block 4104.
(Westside Neighborhood Church)
 - e. Curb and sidewalk along California Avenue at 717 Spencer Avenue, a portion of Block 4104. (Carolyn F. Johnson Gamble)
 - f. Sidewalk along Florida Avenue at 1430 Florida Avenue, a portion of Block 6059-A (James H. Towle)
 - g. Curb and sidewalk at 164 E. Granger Avenue, a portion of Block 1235.
(Deborah Lenser)
 - h. Curb and sidewalk at 200 E. Granger Avenue, a portion of Block 1235.
(Max Kleinknecht)
 - i. Curb at 165 Village Road, a portion of Block 259. (Evert R. Stedman)
 - j. Curb at 169 Village Road, Lot 16 of Block 259 (Robert A. Canfield)
 - k. Curb along Village Road a 225 Las Palmas Avenue, a portion of Block 259.
(Gary E. Thomas)

ACTION: Res. 84-76 adopted (Lang/Whiteside, unan., Patterson absent) ordering the work of construction. (Eng. to handle)

5. Hearing to consider amendment to Section 30-3-9 of the Zoning Map to rezone from P-D(173) to R-3 and R-1, property located at the southeast corner of Carpenter Road and Elm Avenue. (Mid-Cal Land Development.)

ACTION: By motion (Sutton/Lang, unan., Patterson absent) Ord. No. 2245-C.S. introduced rezoning to R-1.

Res. 84-77 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for installation of Bellenita Park irrigation system.
(Suggested bid opening: February 28, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,031.38 (Contract \$22,537.99; engineering & cont. \$3,493.39); funds are budgeted.)

ACTION: Res. 84-78 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened March 6, 1984, at 3:00 p.m. for furnishing electric motor collector rings.
(Requested by the Utility Services Sewerage Division, the collector rings will be installed on an existing 200 horsepower electric motor. The collectors are part of the variable speed mechanism of the motor. The motor is used to pump effluent sewage from the treatment plant to the ponding site on Jennings Road. Resolution authorizing bid call needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 84-79 adopted authorizing call for bids. (Finance to handle)

CONSENT

8. Consider award of contract for drilling, casing, testing and development of one deep well for the City of Modesto.
(Bids were opened on February 7, 1984. The low bid of \$26,347, submitted by Osterberg & Stewart is 8% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Osterberg & Stewart needed. Funds are budgeted.)

ACTION: Res. 84-80 adopted awarding contract to Osterberg & Stewart. (Eng. to handle)

9. Consider award of contract for Housing Improvement Area No. 3 - Phase II. (Bids were opened on February 7, 1984. The low bid of \$259,469.15, submitted by Rolfe Construction, is 4% below the engineer's estimate and considered acceptable. It is therefore recommended by the Engineering Department that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Rolfe Construction needed. Funds are budgeted.)

ACTION: Res. 84-81 adopted (Lang/Muratore, unan., Patterson absent) awarding contract to Rolfe Construction. (Eng. to handle)

CONSENT

10. Consider acceptance of Grover Construction's contract for the construction of Dryden Golf Course maintenance facility. (Original contract: \$118,370) (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: \$120,076; funds are budgeted.)

ACTION: Res. 84-82 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of emergency generator repairs from Holt Brothers for the estimated amount of \$8,000. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-83 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of an additional 80.4 megabit disk memory from Wang Laboratories for the total price of \$14,400. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-84 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

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

None

NEW BUSINESS

14. Report by Councilmember Sutton on economic development partnership with Chamber of Commerce.
(Memo with agenda. (1) Resolution endorsing City-Chamber of Commerce Economic Development Partnership needed; (2) Resolution approving agreement with Chamber of Commerce calling for the Chamber to provide specified Economic Development services needed; (3) Resolution approving a transfer of \$15,000 from the General Fund Reserve to a new Economic Development Account in the Music and Promotion Budget to cover the cost of the City's participation in the Chamber's Economic Development Services during 1984 needed.)

ACTION: Res. 84-85 adopted (Sutton/Whiteside, unan., Patterson absent) endorsing City-Chamber of Commerce Economic Development Partnership.

Res. 84-86 adopted (same vote) approving agreement with Chamber of Commerce.

Res. 84-87 adopted (same vote) approving appropriation transfer of \$15,000.

(Mgr./Finance to handle)

15. Consider staff recommendations to revoke an encroachment permit that allows a hedge to exist at 830-832 Tully Road.
(Memo with agenda. Resolution directing staff to revoke the encroachment permit needed.)

ACTION: By motion (Lang/Whiteside, unan., Patterson absent) staff directed to check on accident history at this intersection and determine other places in the City in which there are similar situations and report back in five weeks.

(Eng. to handle)

CONSENT

16. Consider approval of the final map of Oakwood Estates No. 2 subdivision of the City of Modesto, and accept the improvements in Oakwood Estates No. 2 subdivision as complete. Subdividers: Guarantee Savings
(All improvements have been completed to the satisfaction of the Engineering Services Department, and all subdivision and inspection fees have been paid. Oakwood Estates No. 2 is located north of Merle Avenue, south of Floyd Avenue, and east of Oakdale Road. It contains 43.095 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 84-88 adopted approving final map and accepting improvements as complete.
(Clerk to handle)

CONSENT

17. Presentation of monthly financial statement for January, 1984.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider approval of proposed agreement with Recreation Systems, Inc.
(Staff is recommending contract with Recreation Systems, Inc. to develop master plan
Dry Creek Regional Park and Riverside Neighborhood Park. Memo with agenda. Resolution
approving agreement needed. Estimated cost: \$16,000; funds are budgeted.)

ACTION: Res. 84-89 adopted approving agreement.

(P.R. to handle)

MISCELLANEOUS

19. Appointments

None

- 20.

MATTERS TOO LATE FOR THE AGENDA

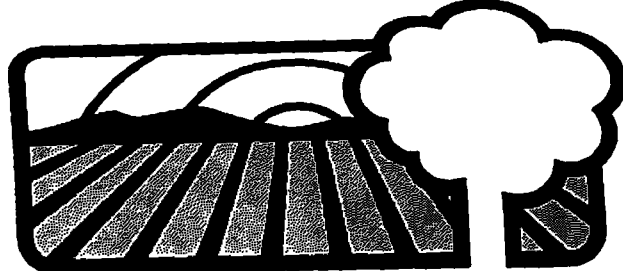
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 9:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 21, 1984, 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 2, 5, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17

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

None

MINUTES

CONSENT

2. Approval of the minutes of the February 14, 1983, regular City Council meeting.
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider protests to Improvement District No. 25.

ACTION: By motion (Muratore/Lang, unan.) changes in the Engineer's report approved.

Res. 84-90 adopted (same vote) finding and determining that public convenience and necessity require the construction of public improvements to be paid for by special assessment.

Res. 84-91 adopted (same vote) confirming assessment and ordering proposed improvements to be made. (Eng. to handle)

4. Hearing to consider amendment to Section 24-3-9 of the Zoning Map to rezone from P-D(279) to R-1, property located on the north side of East Orangeburg Avenue west of Claus Road. (Planning Commission initiated)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2246-C.S. introduced. rezoning from P-D(279) to R-1.

Res. 84-92 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

5. Consider calling for bids to repair the City Hall Parking Deck (Lot No. 4) (Memo with agenda. This first part of a two-part project would improve drainage of the deck, reduce leakage into the lower level, and protect the structure from future water damage. A second project (epoxy injection) will follow in June, 1984. Resolution approving plans and specifications and calling for bids to be opened on March 13, 1984, at 11:00 a.m. needed. Estimated cost: \$16,000; funds are budgeted.)

ACTION: Res. 84-93 adopted calling for bids.

(P.T. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of Bellenita Park restroom.

(Suggested bid opening: March 6, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$29,423.63 (contract \$26,748.75; engineering \$2,674.88); funds are budgeted.)

ACTION: Res. 84-94 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider acceptance of Stanfield and Moody's contract for the replacement of M.I.D. irrigation line across Sylvan Avenue. (Original contract: \$13,690) (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: \$13,926.59; funds are budgeted.)

ACTION: Res. 84-95 adopted accepting work as complete.

(Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

9. Oral report on air service.

ACTION: By motion (Sutton/Whiteside, unan.) the Airport Manager's recommendation to allow the CAB to attempt to obtain a major carrier to come back into the valley was approved. (Utility Services to handle)

CONSENT

10. Consider adoption of informal "Noise Abatement Procedures" for the Modesto City-County Airport.

(Noise abatement procedures need to be adopted by the City Council to provide the Federal Aviation Administration (FAA) with a plan of enforcement. Noise in and about the Airport continues to be a problem with large motor driven and jet aircraft, and such procedures would help reduce this nuisance. Memo with agenda. Resolution adopting informal "Noise Abatement Procedures" needed.)

ACTION: Res. 84-96 adopted adopting informal "Noise Abatement Procedures". (Utility Serv. to handle)

CONSENT

11. Consider new and revised radar-enforceable speed limits.

(Memo with agenda. Twenty radar-enforceable speed limits are expiring. One new radar speed limit and three additional survey updates are also proposed. Introduction of ordinance amending Municipal Code Section 3-2.1401.1 needed. Estimated cost: \$1,400; funds are budgeted.)

ACTION: By motion, Ord. No. 2247-C.S. introduced. (Clerk to handle)

CONSENT

12. Consider letter of agreement for Unicom radio operation at the Modesto City-County Airport between Sky Trek Aviation, a fixed base operator, and the City of Modesto. (Mercury Air Center, which formerly operated Unicom radio operation as part of a City fixed base operator agreement, terminated their lease at the Modesto City-County Airport in August of 1983. As the result of that termination, Sky Trek Aviation, the only remaining fixed base operator at the Airport, has been solicited to operate the Unicom radio operation. It is proposed that City approve the letter of agreement between Sky Trek Aviation and the City of Modesto to allow this service to continue. Memo with agenda. Resolution approving letter agreement needed.)

ACTION: Res. 84-97 adopted approving letter agreement. (Utility Serv. to handle)

CONSENT

13. Consider approving amendment to agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer.
(The Askews and Mesenhimers have been leasing a portion of Hangar No. 1 since September, 1983, for use as a flight school/charter service. This amendment to their one-year lease changes the way their insurance clause is written so that it will now refer to the Code. This will be done in all future leases. Resolution amending lease agreement needed.)

ACTION: Res. 84-98 adopted amending lease agreement. (Utility Serv. to handle)

CONSENT

14. Consider authorizing City Manager to sign agreement with Bright Development for water main installation in Vineyard No. 3 subdivision.
(Improvement plans for Vineyard No. 3 subdivision 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: \$12,846; funds are budgeted.)

ACTION: Res. 84-99 adopted approving agreement. (Eng. to handle)

CONSENT

15. Consider approving lease agreement with Donald H. and Margaret D. Scott for the lease of a portion of the former Bomberger property. The property contains approximately 26.6 acres and is open farming ground except for approximately 4 acres of peaches.
(This is a one-year renewal of an existing lease. Rent remains the same at 20% of the gross. The Scotts have been leasing this property since 1978. Resolution approving agreement needed.)

ACTION: Res. 84-100 adopted approving agreement. (Utility Serv. to handle)

CONSENT

16. Consider approving lease agreement with Donald H. and Margaret D. Scott for the lease of the former Eula Scott property acquired for Dry Creek Park. The property contains approximately 9.8 acres and is improved with walnuts.
(This is a one-year renewal of an existing lease. Rental is to be lowered from 25% of the gross to 20%. This is a reflection of the poor walnut market. The Scotts have been leasing this property since 1975 and are very good tenants. Resolution approving agreement needed.)

ACTION: Res. 84-101 adopted approving agreement. (Utility Serv. to handle)

MISCELLANEOUS

CONSENT

17. Legislation: Staff recommends:

Strong support - a) Long-Term Local Government Financing - SB 1300 (Marks) and AB 2468 (Cortese)

Support b) AB 2281 (Hauser) - Salaries for City Councilmembers

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

ACTION: By motion, staff recommendation approved.

(Mgmt. Serv. 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

20. CLOSED SESSION

(Closed session to consider a personnel matter.)

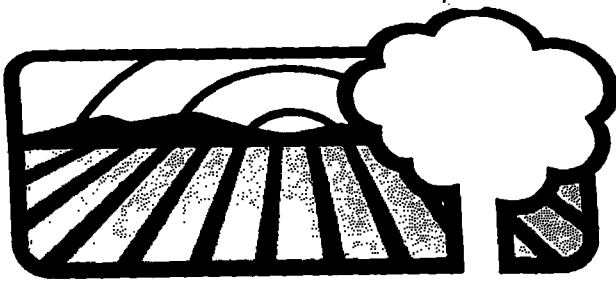
ADJOURNMENT

The meeting adjourned to closed session at 4:50 p.m.

ATTEST:



NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 28, 1984, 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. Dick Shrader, First Church of the Nazarene

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

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 February 21, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider amendments to the Modesto Municipal Code regulating location of adult entertainment establishments.
(Memorandum with agenda. Motion referring to Planning Commission for hearing and recommendation back to the City Council needed.)

ACTION: By motion (Muratore/Lang, unan.) this matter referred to Planning Commission.
(Planning to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2245-C.S. rezoning from P-D(173) to R-1, property located at the southeast corner of Carpenter Road and Elm Avenue. (Mid-Cal Land Development)
- b. Ord. No. 2246-C.S. rezoning from P-D(279) to R-1, property located on the north side of East Orangeburg Avenue west of Claus Road. (Planning Commission initiated)
- c. Ord. No. 2247-C.S. amending Code Section 3-2.1401.1 regarding new and revised radar-enforceable speed limits.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

5. Consider appeal of Rettig Bros. to a Planning Commission decision regarding an amendment to P-D(339), to make changes in the development plan pertaining to the parking area and street access and the location of walls for an engine remanufacturing and repair and parts sales facility, property located at the southwest corner of Woodland and Mercy Avenues.

ACTION: Res. 84-102 adopted (Lang/Whiteside, unan.) denying appeal. (Clerk to handle)

6. Consider appeal by Fredricksen, DeLaMare & Fultz, on behalf of Joe Trombetta, to a Planning Commission decision regarding one of the conditions of approval of the tentative subdivision map for Vintage Faire No. 4 and 6 located between Veneman Avenue and M.I.D. Lateral No. 7, east of Barbera Lane.

ACTION: Res. 84-103 adopted (Sutton/Muratore, unan.) granting the appeal in part and denying it in part. (Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of Water Quality Control Plant expansion project, Unit No. 1, at 3:00 p.m. on 4/11/84. (This project will provide for construction of various improvements at the Water Quality Control Plant under the E.P.A. - Clean Water Grant Program. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimate cost: \$10,787,000 (construction \$9,640,000; engineering \$665,000; contingencies \$482,000; Funds are budgeted.)

ACTION: Res. 84-104 adopted calling for bids.

(Eng. to handle)

CONSENT

8. Consider waiving formal bid procedures and authorize the purchase of traffic signal controllers and cabinets from BBUDDCO for the total price of \$17,846. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed; funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 84-105 adopted waiving formal bid procedures.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Request by Downtown Improvement District to hold a sidewalk sale on March 14, 15, 16, and 17, 1984. (Motion approving request needed.)

ACTION: By motion, request approved.

(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. Special Projects Committee recommendations on Community Center.
(Memo to be available prior to Council meeting.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Whiteside/Sutton, majority, Patterson-no, Mensinger-absent) the matter of abandonment of 10th Street referred to the Planning Commission.

By motion (same vote) Committee's recommendation to appoint a citizens committee to raise funds for the theatres approved.

Res. 84-106 adopted (same vote) authorizing the City of Modesto to loan the Agency \$35,000 to cover architectural and other administrative costs.

(Planning/Finance to handle)

CONSENT

12. Consider renewal of public liability insurance from March 1, 1984, through February 28, 1985.

(Memo with agenda. Resolution approving renewal of current Airport liability policy (Lloyds of London) and combined auto and transit, general, personal, liability insurance (Transcontinental Insurance Company & Truck Insurance Exchange) needed. Estimated cost: \$1,675. Funds are budgeted.)

ACTION: Res. 84-107 adopted approving renewal of insurance. (Mgmt. Serv. to handle)

CONSENT

13. 1983-84 Budget Update/Outlook for 1984-85.

(Report with agenda. Resolution amending the 1983-84 budget.)

ACTION: Res. 84-108 adopted amending the 1983-84 Budget. (Finance to handle)

CONSENT

14. Consider approving speakers' Bureau Brochure.

(Memorandum with agenda. Motion approving the brochure needed. Funds will be included in the budget update being submitted by the Finance Department.

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

CONSENT

15. Consider request of Cal Auto Parts, Inc., for refund of overpayment of business license tax in the amount of \$948.59.

(Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 84-109 adopted approving refund of overpayment of business license tax. (Finance to handle)

CONSENT

16. Amend the Position Classification Plan to add a new class of "Executive Assistant".
Amend the Position Classification Plan to delete the class "Secretary to the City Manager".

(Memorandum with agenda. Resolution amending Position Classification Plan and resolution amending Alphabetical Listing of Classifications in the Salary Resolution needed. Estimated Cost: \$627. Funds are budgeted.)

ACTION: Res. 84-110 adopted amending Position Classification Plan.

Res. 84-111 adopted amending Salary Schedule.

(Mgmt. Services to handle)

MISCELLANEOUS

17. Appointments

ACTION: Res. 84-112 adopted appointing Modesto Youth Commissioners Mark Melkorian, George Park, Janel Blount, Karen Farley, John Baughman, Robert Baker, Debby Wesely, and reappointing Connie Christodulis, and Michelle Smith.
(Clerk to handle)

18.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

The meeting adjourned at 11:05 p.m.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

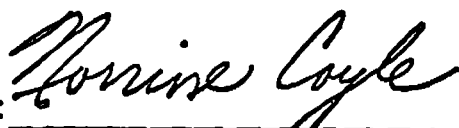
Modesto City Council
Regular Meeting
March 6, 1984

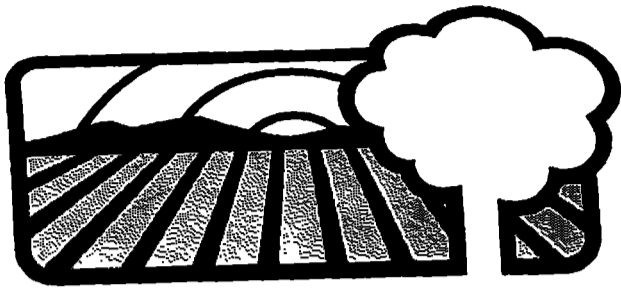
In the absence of the Mayor and Vice Mayor, the City Clerk called the meeting to order. The roll call was as follows:

Present: Councilmembers: None

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

Due to a lack of a quorum, the meeting was canceled.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 13, 1984, 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. Don Curtis, Victory Faith Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 13, 15, 16,
17, 18, 19, 20, 21, 22, 23, 24, 25, 26
Removed from consent: 14

ACTION: (Bright/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. Presentation by Soroptimist International of Modesto.

President Polly Stewart presented a pledge of \$5,000 on the proposed theaters.

MINUTES

CONSENT

2. Approval of the minutes of the February 28, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider rezoning from P-D(176) to P-D(349) to allow one and two-story residential condominium development, offices, and financial institutions, property located at the northeast corner of Prescott Road and Standiford Avenue.
(The Luckey Company)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2248-C.S. was introduced.

Res. 84-113 adopted (same vote) approving plan and certifying review of Environmental Assessment.
(Clerk/Planning to handle)

4. Consider appeal by Yosemite Properties to a Planning Commission decision regarding an application to rezone from R-1 to P-D for a neighborhood shopping center and adjoining two-story corporate office building, property located at the southwest corner of Standiford Avenue and Carver Road.

ACTION: By motion (Lang/Bright, majority; Whiteside, Mayor Mensinger-no) appeal granted and staff directed to develop the necessary documents and return to Council on April 3, 1984, at 4:00 p.m.
(Planning to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the strengthening of waterline in "H" Street from 12th to 15th.
(Suggested bid opening: April 3, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$43,829.95 (contract \$38,113; engineering \$5,716.95); funds are budgeted.)

ACTION: Res. 84-114 adopted calling for bids. (Eng. to handle)

CONSENT

6. Consider award of contract for the reconstruction of general aviation area tiedown at the Modesto City-County Airport.
(Bids were opened on February 28, 1984. The low bid of \$149,462.55, submitted by Granite Construction, is 14% below the engineer's estimate and considered acceptable. The FAA has approved the award of this contract. It is, therefore, recommended by the Engineering and Utility Services Departments that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Granite Construction needed. Funds are budgeted.)

ACTION: Res. 84-115 adopted awarding contract. (Eng. to handle)

CONSENT

7. Consider award of contract for the installation of irrigation system in Bellenita Park.
(Bids were opened on February 28, 1984. The low bid of \$34,592, submitted by Grover Landscaping, is 53' above the engineer's estimate and considered acceptable. It is recommended by the Engineering and Parks and Recreation Departments that the contract be awarded to Grover Landscaping. Memo and bid tabulation with agenda. Resolution awarding contract to Grover Landscaping needed. Funds are budgeted.)

ACTION: Res. 84-116 adopted awarding contract. (Eng. to handle)

CONSENT

8. Consider acceptance of Central Pump's contract for the reconstruction of Pump Station No. 28. (Original contract: \$20,318)
(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: \$23,813; funds are budgeted.)

ACTION: Res. 84-117 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the purchase of twelve patrol cars and one compact car from the State of California Department of General Services for the total price of \$141,073. (\$134,773 after cash discount)
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 84-118 adopted waiving formal bid procedures. (Finance to handle)

A five minute recess was taken at 10:15 p.m.

WRITTEN COMMUNICATIONS

10. Letter from the Modesto Chamber of Commerce requesting City support for the proposed county-wide Economic Development Corporation.

ACTION: By motion (Sutton/Whiteside, unan.) the concept of the proposed corporation was approved.

- 10A. Letter from Allen Grant, Grant Construction Company, Inc., requesting an amendment to the Municipal Code to allow the use of side yard easements.

ACTION: By motion (Whiteside/Muratore, unan.) matter referred to staff for recommendation. (Planning to handle)

11. MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Patterson mentioned the Modesto High School basketball team will be playing for the State Championship in Oakland this coming weekend, and wished the players good luck.

NEW BUSINESS

12. Consider request of Bright Development for removal of access restrictions between Lots 1 and 6 of Block 12412 of Hacienda Estates subdivision and Coffee Road. (The final map of Hacienda Estates subdivision denied direct vehicular access to Coffee Road from two lots at the northwest and southwest corners of Coffee Road and Las Cruces Court. Bright Development requests that two driveways onto Coffee Road be allowed. Memo outlining options with agenda. Motion denying request, resolution approving request, or motion referring request to Planning Commission for report and recommendation needed.)

ACTION: Res. 84-119 adopted (Muratore/Patterson, unan.) approving request.
(Planning to handle)

CONSENT

13. Consider proposed closure of S. Morton Boulevard at the westerly side of 9th Street. (It is proposed that S. Morton Boulevard be permanently closed at the westerly side of 9th Street to facilitate the construction of a bike lane approach to the Tuolumne River Bridge. Memo with agenda. Motion referring proposed street closure to the Planning Commission for report and recommendation needed.)

ACTION: By motion, proposed street closure referred to Planning Commission.
(Planning to handle)

14. Consider hiring a management recruitment firm to recruit candidates for the position of Economic Development Manager. (Memorandum with agenda. Resolution approving agreement with Korn/Ferry International needed, and resolution approving appropriation transfer needed. Estimated cost: \$12,825.)

ACTION: Res. 84-120 adopted (Patterson/Lang, unan.) approving agreement.
Res. 84-121 adopted (same vote) approving appropriation transfer. (Mgmt. Services/
Finance to handle)

CONSENT

15. Consider request for water service to property outside the City limits at 1717, 1719, and 1721 Woodland Avenue, located on the north side of Woodland Avenue between Bennett Road and Watts Avenue. (Owners: Frank and Louise Burnett)
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 84-122 adopted approving agreement. (Eng. to handle)

CONSENT

16. 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 between the County and the City in previous years. The agreement provides that the County will allocate and transfer to the City \$69,074.88 for expenditures by the City on community recreation for fiscal year 1983-84. (This is a decrease of \$90.52 from last year's allocation.) Resolution approving agreement needed.)

ACTION: Res. 84-123 adopted approving agreement.

(P.R. to handle)

CONSENT

17. CATV Annual Test and Report.
(Once a year a thorough test of the cable television franchise is conducted. The franchisee has been found to be in compliance with the enabling ordinance and franchise documents. Memo and reports with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider excusing Councilmembers Lang, Muratore, Patterson and Whiteside, and Mayor Mensinger for being absent on March 6, 1984, due to their attending the Congressional-Cities Conference, sponsored by the National League of Cities, in Washington, D.C.
(Motion excusing absences needed.)

ACTION: By motion, absences excused.

(Clerk to handle)

CONSENT

19. Presentation of monthly financial statement for February, 1984.
Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Consider request for refund of overpayment of business license tax by Cal Auto Parts, Inc., in the amount of \$948.59.
(Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 84-124 adopted approving refund of overpayment.

(Finance to handle)

CONSENT

21. Consider request from Ticor Title Insurance Company that property at 705 Kerr Avenue be released from an agreement which requires installation of curbs and sidewalks.
(Memo with agenda. Resolution releasing agreement needed.)

ACTION: Res. 84-125 adopted releasing agreement.

(Clerk to handle)

CONSENT

22. Consider joining in eight amicus curiae briefs.
(Memorandum with agenda. Motion authorizing joining in eight amicus curiae briefs needed.)

ACTION: By motion, joining in amicus curiae briefs approved.

(Atty. to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1613 El Dorado located on the west side of El Dorado Avenue between El Dorado Avenue and Ustick Avenue. (Owner: Edward Andrew Corona)
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 84-126 adopted approving agreement.

(Eng. to handle)

CONSENT

24. Consider setting date for public hearing on the proposed College West Area amendment to the General Plan.
(After a public hearing at its March 5, 1984, meeting, the Planning Commission adopted Resolution No. 84-51 certifying review of the Final E.I.R. and making recommendations to the Council on the proposed College West Area General Plan amendment. It is recommended that a public hearing on the proposed College West Area General Plan amendment be set by the City Council for April 24, 1984, at 7:30 p.m. Resolution setting public hearing needed.)

ACTION: Res. 84-127 adopted setting hearing.

(Clerk to handle)

CONSENT

25. Recommend to Council vacation and abandonment of walkway between Duckart Way and Jacquelyn Way, east of Lorry Avenue.
(On February 21, 1984, the Planning Commission adopted Resolution 84-40 recommending to the Council vacation and abandonment of the public walkway between Duckart Way and Jacquelyn Way, east of Lorry Avenue. Resolution of intention to vacate and abandon walkway and setting public hearing on April 3, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-128 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

CONSENT

26. Legislation:

Staff recommends opposing SB 1602 (Ellis) - Elections.
(Memo with agenda. Motion accepting staff recommendation needed.)

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

27. Appointments

ACTION: Res. 84-129 adopted (Muratore/Whiteside, unan.) appointing Jay Pfarr and Bill Sweeley to the Board of Building Appeals, terms to expire 1/1/88.

Res. 84-130 adopted (same vote) appointing Charles Hall to the Board of Personnel Appeals, term to expire 1/1/88.

Res. 84-131 adopted (same vote) appointing Matt Kehoe to the Culture Commission, term to expire 1/1/88.

Res. 84-132 adopted (same vote) appointing Beatrice Acosta and Michael Branham to the Human Relations Commission, terms to expire 1/1/88, and Jack Schmid, term to expire 1/1/85.

Res. 84-133 adopted (same vote) appointing Ron Fisher and Sherri Martin to the Farm-City Committee, terms to expire 5/1/88.

28.

MATTERS TOO LATE FOR THE AGENDA

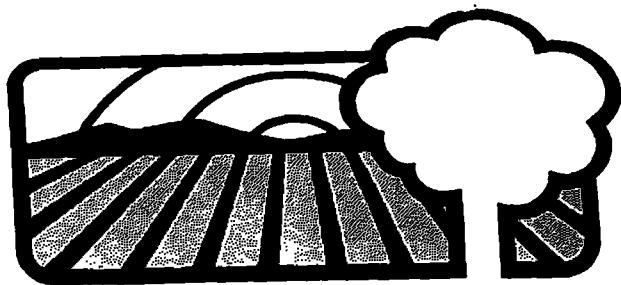
(These may be presented by members of the City Council and staff.)

In reply to Councilmember Muratore's question, the City Attorney said the City of Modesto uses the title "Vice Mayor" because that is what the office is named in the Charter.

ADJOURNMENT

Adjourned at 11:05 p.m. to closed session to consider pending litigation.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 20, 1984, 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: Reverend Donald Nelson , Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 18, 20, 21, 22, 23, 27, 28a

Removed from consent: 19, 24

ACTION: (Muratore/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

On behalf of the school districts involved in the Greater Modesto Relocatable Administration Agency, Howard Spivak presented Mike Herrero with a plaque in appreciation of his assistance with administration of the school lot tax program.

MINUTES

CONSENT

2. Approval of the minutes of the March 13, 1984, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Progress report on the Ground Water Study. (An oral report will be made at the meeting.)

ACTION: The oral report was made.

4. Consider staff recommendation to revoke an encroachment permit that allows a hedge to exist at 830-832 Tully Road. (Continued from the February 14, 1984, Council meeting. Memo with agenda.)

ACTION: Res. 84-135 adopted (Muratore/Bright, majority, Lang-no, Sutton-absent) staff recommendation supported, with hedge to be removed within 60 days.

By motion (same vote) staff directed to give the property/^{owners}as much assistance as possible. (Eng./P.R. to handle)

CONSENT

5. Final adoption of Ord. No. 2248-C.S. rezoning from P-D(176) to P-D(349) to allow one and two story residential condominium development, offices, and financial institutions, property located at the northeast corner of Prescott Road and Standiford Avenue. (The Luckey Company)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2248-C.S. adopted.

(Clerk to handle)

HEARINGS

6. Hearing to consider amendment to Section 7-3-9 of the Zoning Map to rezone from R-3 to P-D(350) allowing a two-story condominium project, property located on the southeast corner of Prescott and Cheyenne. (C.D.S. Development)

ACTION: By motion (Lang/Muratore, unan., Sutton absent) Ord. No. 2249-C.S. introduced.

Res. 84-136 adopted (same vote) approving plan.

Res. 84-137 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the repaving of Legion Park parking lot.
(Suggested bid opening: April 3, 1984, at 11:05 a.m. Resolution approving plans and specifications needed. Estimated cost: \$13,000 (contract \$12,375; engineering \$625); funds are budgeted.)

ACTION: Res. 84-138 adopted approving plans and calling for bids. (Eng. to handle)

CONSENT

8. Consider awarding contract for City Hall parking deck repairs. (Memo with agenda. Bids were opened on March 13, 1984, and Alpha Waterproofing and Restoration was the low bidder at \$13,640 for Alternate No. 1 and \$15,680 for Alternate No. 2. Resolution awarding contract for Alternate No. 2 to Alpha Waterproofing and Restoration needed. Funds are budgeted.)

ACTION: Res. 84-139 adopted awarding contract. (P.T. to handle)

CONSENT

9. Consider declaring Industrial Electric low bidder meeting City specifications and authorize the purchase of one set of electric motor collector rings from the firm for the total purchase price of \$10,998. (Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 84-140 adopted authorizing the purchase. (Finance to handle)

CONSENT

10. Consider authorizing the City Manager to sign a new vending service contract with Patton Vending Company, Inc., for vending machines maintained in various City locations. (Memorandum with agenda. Resolution approving contract needed.)

ACTION: Res. 84-141 adopted approving contract. (Finance to handle)

CONSENT

11. Consider award of contract for the construction of Bellenita Park restroom. (Bids were opened on March 6, 1984. The low bid of \$32,000, submitted by Pro Builders, is 19.6% above the engineer's estimate and considered acceptable. Therefore, it is recommended by the Parks and Recreation Department and the Engineering Department that the contract be awarded to Pro Builders. Memo and bid tabulation with agenda. Resolution awarding contract to Pro Builders needed. Funds are budgeted.)

ACTION: Res. 84-142 adopted awarding contract. (Eng. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the strengthening of water system on Bodem Street between Downey and E. Morris Avenue. (Suggested bid opening: April 10, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$62,920 (\$57,200 contract; \$5,720 engineering); funds are budgeted.)

ACTION: Res. 84-143 adopted approving plans and calling for bids. (Eng. to handle)

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Consider adoption of a resolution authorizing the City Manager to execute the amended joint powers agreement for the operation of the Stanislaus County Drug Enforcement Unit.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-144 adopted approving agreement. (Police to handle)

CONSENT

15. Consider agreement with the State of California, Office of Emergency Services, concerning responsibilities for the surplus emergency generator on loan to Modesto for use at our Emergency Operation Center, 700 Tioga Drive.
(Rather than purchase a new generator to provide emergency power to our EOC, a long-term loan of a surplus generator was negotiated. The contract defines responsibilities. Resolution approving agreement needed.)

ACTION: Res. 84-145 adopted approving agreement. (Fire to handle)

CONSENT

16. Consider providing a grievance procedure for handicapped persons by amending the City's Affirmative Action Grievance Procedure.
(Memo with agenda. Resolution approving grievance procedure needed.)

ACTION: Res. 84-146 adopted approving grievance procedure. (Mgmt. Services to handle)

CONSENT

17. Consider repair and replacement of water conduits in the public rights-of-way.
(Memo with agenda. Motion directing staff to negotiate an agreement with MID, TID, and Del Este Water Company that will provide for an equitable distribution of water conduit repair and replacement costs needed.)

ACTION: By motion, staff directed to negotiate agreements. (Mgmt. Services to handle)

CONSENT

18. Consider setting Hearing of Necessity to acquire temporary construction easements for the City parallel outfall line project from the following:

Howard Hughes et ux
Gerald L. Mollet et al
David Verissimo et ux

Bernard Stuit et al
Walker D. Halliday et ux
Lewis William Lee et al

(Recommended hearing date is April 17, 1984, at 4:00 p.m. Staff had made offers to acquire the needed temporary easements. The owners have declined in some cases, and in several cases need more time to decide. However, we need to proceed since we can't award this contract without having possession of the easements. Reports will be provided to the Council for the actual hearing. Resolution setting hearing on April 17, 1984, at 4:00 p.m. needed. Estimated cost: \$9,465; funds are budgeted.)

ACTION: Res. 84-147 adopted setting hearing.

(Clerk to handle)

19. Consider amendment to agreement with Kennedy/Jenks Engineers for additional engineering services for the Water Quality Control Plant expansion project. (Unit 3 is the last major portion of the plant expansion project that needs to be designed. Unit 3 consists of the land disposal and storage facilities necessary to comply with the waste discharge requirements. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$915,108; funds are budgeted.)

ACTION: Res. 84-148 adopted (Lang/Whiteside, unan., Sutton absent) approving amendment to agreement. (Utility Services to handle)

CONSENT

20. Request from Wallpapers To Go for refund of \$515.65 overpayment of Business License Tax. (Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 84-149 adopted authorizing refund.

(Finance to handle)

CONSENT

21. Application for Community Development Block Grant Funds for Fiscal Year 1984-85 for the following purposes:

- 1) Approximately \$1,254,000 for the on-going Housing Maintenance Program - neighborhood revitalization and removal of handicap barriers.
- 2) Approximately \$250,000 for a new citywide rental rehabilitation program for approximately 50 units.

(Memo with agenda. The Citizens Housing and Community Development Committee reviewed both applications on January 27, 1984, and recommends Council approval. Two resolutions approving applications needed.)

ACTION: Res. 84-150 adopted approving application for \$1,254,000 for Housing Maintenance Program.

Res. 84-151 adopted approving application for citywide rental rehabilitation program. (Planning to handle)

CONSENT

22. Consider authorizing \$5,000 expenditure by the Housing Program Office to purchase and install smoke detectors in residences in Target Area No. 3 and throughout the City of Modesto being occupied by low to moderate income households.
(The Fire Department and Housing Program Office propose to purchase \$5,000 of smoke detectors for placement in low to moderate income houses. The Citizens Housing and Community Development Committee at the meeting of January 27, 1984, recommended Council approval. Resolution authorizing expenditure needed. Funds are budgeted.)

ACTION: Res. 84-152 adopted authorizing expenditure.

(Planning to handle)

CONSENT

23. Consider authorizing transfer of \$74,000 to the McHenry Mansion Restoration Project from the Mansion's contingency reserve account.
(This transfer is necessary to continue the McHenry Mansion restoration of the first floor. It will include window, doorway, wall and ceiling treatments; graining; carpeting; light fixtures; and completion of caterer's kitchen. This expenditure has been discussed and approved by the McHenry Mansion Foundation. Resolution approving transfer needed.)

ACTION: Res. 84-153 adopted approving transfer.

(Finance to handle)

24. Consider approving agreement with De Leuw, Cather and Company for engineering services incidental to relocating the train tracks from 9th Street.
(Memo with agenda. De Leuw, Cather and Company would be hired to prepare report/plan on this matter. The report/plan is needed to further Federal legislation to help fund the relocation. Resolution approving agreement needed, and resolution approving \$25,000 transfer of funds needed.)

ACTION: Res. 84-154 adopted (Whiteside/Patterson, unan., Sutton absent) approving agreement.

Res. 84-155 adopted (same vote) approving appropriation transfer.

(P.T./ Finance to handle)

25. Consider approval of an agreement with Allen Grant terminating agreement of December 8, 1981, which provided for a joint venture for the development of a community center project.

(Memorandum with agenda. Resolution approving agreement needed.) (Mayor Mensinger to be excused due to a conflict of interest.)

ACTION: Res. 84-156 adopted (Whiteside/Lang, majority, Patterson-no, Sutton, Mayor Mensinger-absent) Atty. to handle)

26. Consider loan of up to \$2,200,000 to the Redevelopment Agency of the City of Modesto to cover the purchase price and related costs for the purchase of Block 58 in the City of Modesto by the Redevelopment Agency.

(Memorandum with agenda. Resolution authorizing a loan to the Redevelopment Agency needed.) (Mayor Mensinger to be excused due to a conflict of interest.)

ACTION: Res. 84-157 adopted (Muratore/Whiteside, majority, Patterson-no, Sutton, Mayor Mensinger - absent) authorizing loan.

(Atty. to handle)

MISCELLANEOUS

CONSENT

27. Legislation: Staff recommends:

Supporting

- a) SB 1811 (Russell) - Precinct Lists
- b) AB 2183 (O'Connell) - Safe Drinking Water Bond Act of 1984

Opposing

- c) AB 790 (Elder) - Conflict of Interest - City Officials
- d) AB 2219 (Baker) - Establishment of Special Districts Within Cities
- e) AB 2621 (LaFollette) - Time for Completing Environmental Impact Reports and Negative Declarations

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

ACTION: By motion, recommendations approved.

28. Appointments

CONSENT

- a. Designation of Councilmember Richard Patterson to serve as Vice Mayor until the second meeting following the election in November, 1985, pursuant to Section 603 of the Charter of the City of Modesto.
(Memo with agenda. Resolution designating Richard Patterson as Vice Mayor needed.)

ACTION: Res. 84-134 adopted designating Richard Patterson as Vice Mayor.

- b. Other - None

29. MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent) final action on the Save Mart rezoning postponed from April 3 to April 10.

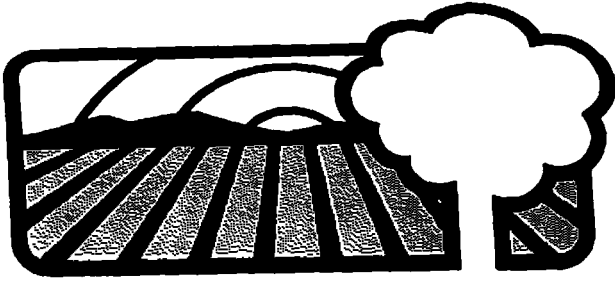
Res. 84-158 adopted (Patterson/Muratore, unan., Sutton absent) communicating best wishes and congratulations on the anniversary Barranquilla will be celebrating.

Res. 84-159 adopted (Muratore/Whiteside, unan., Sutton absent) commending Modesto High School's basketball team on winning the State Championship.

ADJOURNMENT

The meeting adjourned at 7:08 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 27, 1984, AT 7:30 P.M.

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

Absent: Councilmember Sutton, Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Rev. Patrick Riddle, Herald General Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9, 12, 12A, 14,
15, 16, 17, 18, 19

ACTION: (Whiteside/Lang, unan., Sutton, 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 March 20, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. 2249-C.S. rezoning from R-3 to P-D(350), property located on the southeast corner of Prescott and Cheyenne. (CDS Development)
(Motion adopting needed.)

ACTION: By motion, Ord. 2249-C.S. adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the resurfacing of Neece Drive from Rouse Avenue to Tuolumne Boulevard.
(Suggested bid opening: April 10, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$50,650 (contract \$46,036.25; engineering 4,613.75); funds are budgeted.)

ACTION: Res. 84-160 adopted calling for bids.

(Eng. to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of Tuolumne River Regional Park - Phase II.
(Suggested bid opening: April 17, 1984, at 11:00 a.m. This will provide for the construction of restroom, electrical, playground equipment, picnic facilities and sewer disposal system. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$353,100 (construction \$321,000; engineering \$32,100); funds are budgeted.)

ACTION: Res. 84-161 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approval of plans and specifications for the construction of Pelandale waterline east of Blue Bird.
(Suggested bid opening: April 17, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$41,020 (contract \$36,835; engineering \$3,685; City connection \$500); funds are budgeted.)

ACTION: Res. 84-162 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of Modesto High School tennis courts.
(Suggested bid opening: April 17, 1984, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$161,446.90 (Construction \$153,758.95; engineering \$7,687.95; funds are budgeted.)

ACTION: Res. 84-163 adopted calling for bids.

(Eng. to handle)

CONSENT

8. Consider rejecting all bids received for furnishing replacement fire hose; approve new specifications and authorize call for bids to be opened April 24, 1984, at 3:00 p.m.

(Memorandum with agenda. Resolution rejecting all bids received for furnishing fire hose and approve new specifications and authorize bid call needed. Estimated cost: \$23,000; funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 84-164 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider acceptance of Kaweah Construction Company's contract for the construction of Wastewater Treatment and Disposal Facilities, Unit No. 4. (Original contract: \$1,659,658)

(All work on the project has been completed to the satisfaction of the State Division of Water Quality and the Utility Services Department. Therefore, it is in order to accept the work as complete and to file a Notice of Completion. Memo with agenda. Resolution waiving liquidated damages and accepting the work as complete needed. Final cost: \$1,705,290.59; funds are budgeted.)

ACTION: Res. 84-165 adopted accepting work as complete.

(Clerk to handle)

WRITTEN COMMUNICATIONS

10. Request by Stanislaus County Arts Commission for approval of the updated Program of Action.

(Copy of the proposed Program of Action with agenda. The Culture Commission's recommendation will be presented at the meeting.)

ACTION: Res. 86-166 adopted (Muratore/Whiteside, unan., Sutton and Mayor Mensinger absent) approving program. (P.R. to handle)

11. Letter from Roberto Carlo Chiesa and Bob Todd regarding an educational pilot program.

ACTION: By motion (Lang/Muratore, unan., Sutton and Mayor Mensinger absent) matter referred to staff. (Atty. to handle)

CONSENT

12. Letter from Mid-Valley Engineering, on behalf of McClatchy Newspapers, requesting that the alley in Block 105, between H, I, 13th and 14th Streets be abandoned. (Motion referring to Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission.

(Planning to handle)

CONSENT

12A. Request by Fourth of July Committee for assistance again with the annual celebration.
(Motion referring to staff for report needed.)

ACTION: By motion, request referred to staff.

(P.R. to handle)

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

14. Consider approving amendment to lease agreement with Kias A. and Gwendolee Williams for the lot that was purchased from them for Tuolumne River Regional Park and which they have been leasing back.
(This is an amendment to change the insurance clause in the lease to agree more with homeowners' insurance. The present clause is written for commercial applications. This amendment has already been approved by the City of Ceres and Stanislaus County. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-167 adopted approving amendment to agreement.

(Utility Services to handle)

CONSENT

15. Consider authorizing City Manager to sign agreement with Hewlett Packard for maintenance of the HP1000 computer located in the Engineering Services Department for \$9,084 per year.
(Memorandum with agenda. Resolution approving maintenance agreement needed. Funds are budgeted.)

ACTION: Res. 84-168 adopted approving maintenance agreement.

(Finance to handle)

CONSENT

16. Consider approval of the final map of Pasa Tiempo 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: Terra Dynamics, Inc.)
(The subdivision agreement has been signed and all fees paid. Pasa Tiempo is located on the west side of Tully Road, south of MID Lateral No. 6. It contains 1.00 acre. Resolution approving final map needed.)

ACTION: Res. 84-169 adopted approving final map.

(Clerk to handle)

CONSENT

17. Consider setting hearing to adopt or revise conflict of interest codes for various departments.
(New codes need to be adopted for the Engineering Services Department, Office of Management Services (previously included in City Manager's Office Code) and Utility Services Department; and amendments need to be made to codes for Office of City Manager, Finance, Planning & Community Development, Parking & Traffic, Fire, and Parks & Recreation Departments. Resolution setting hearing April 17, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-170 adopted setting hearing.

(Clerk to handle)

CONSENT

18. Consider setting public hearing to authorize filing for Federal transit operating grants for the 1984/85 fiscal year.
(Memo with agenda. The grants will cover \$1,122,641 of the estimated \$2,839,745 cost of the City's two public transit operations (Intracity Transit and Dial-A-Ride) during the 1984/85 fiscal year. Transportation Development Act funds (\$1,122,641), passenger fares (\$591,963), and bus bench revenues (\$2,500) will cover the remaining cost. Resolution setting public hearing Tuesday, May 15, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-171 adopted setting hearing.

(Clerk to handle)

MISCELLANEOUS

CONSENT

19. Legislation: Staff recommends:

OPPOSING UNLESS AMENDED

a) AB 1849 (Clute) - Spheres of Influence for Special Districts

OPPOSING

b) AB 2897 (Kelley) - Time for Determining Whether or Not an Environmental Impact Report is Necessary

c) SB 1426 (McCorquodale) - Agency Shop

STRONGLY SUPPORTING

d) AB 1732 (Costa) - Clean Water Bond Law of 1984

SUPPORTING

e) AB 3114 (Harris) - Public Liability

f) AB 3618 (Roos) - Housing Element Revisions

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

ACTION: By motion, recommendations approved.

20. Appointments

None

21.

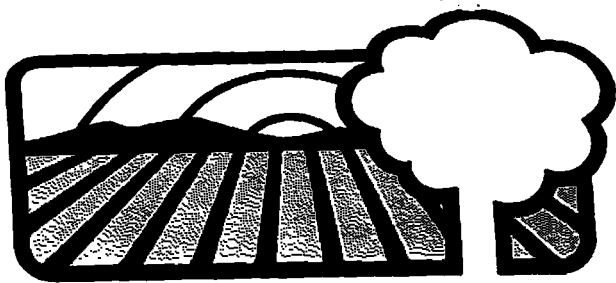
MATTERS TOO LATE FOR THE AGENDA

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

None

The meeting adjourned at 8:00 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 3, 1984, 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: Rev. Andrew H. Webb, Free Methodist Church

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

Removed from agenda: 14f

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

Brownie Troop 296 members and leaders were introduced.

MINUTES

CONSENT

2. Approval of the minutes of the March 28, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider the proposed vacation and abandonment of the 6-foot public walkway located between Duckart Way and Jacquelyn Way, east of Lorry Avenue.

ACTION: Res. 84-172 adopted (Muratore/Sutton, unan., Mayor Mensinger absent) approving abandonment. (Planning to handle)

4. Hearing to consider amendment to P-D(225) to allow all C-2 zone uses along with establishing a wholesale-retail building supply business, except ambulance service and on/off-sale alcoholic beverage, property located at the northeast corner of Carpenter Road and Elm Avenue. (Gary Bedrosian)

ACTION: By motion(Whiteside/Bright, unan., Mayor Mensinger absent) Ord. No. 2250-C.S. introduced.

Res. 84-173 adopted (same vote) amending plan. (Clerk to handle)

BIDS

CONSENT

5. Consider calling for bids to epoxy inject cracks in the three City parking structures.
(Memo with agenda. The City Hall parking deck will soon be undergoing repairs. The final aspect will be epoxy injecting cracks in the concrete. Two other parking structures also need injecting, so we intend to do all three at once. Resolution calling for bids to be opened at 11:00 a.m. on April 24, 1984. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 84-174 adopted calling for bids. (P.T. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the internal repair of the 60-inch outfall sewer.
(Suggested bid opening: April 17, 1984, at 11:15 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$66,450 (contract \$57,750; engineering \$8,700); funds are budgeted.)

ACTION: Res. 84-175 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the resurfacing of West Roseburg from Tully to Carver.
(Suggested bid opening: April 24, 1984, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$48,140 (contract \$44,783; engineering \$3,357); funds are budgeted.)

ACTION: Res.84-176 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of Ekins and Gagos subtrunk sewer.
(Suggested bid opening: April 24, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$119,380 (contract \$108,580; engineering \$10,800); funds are budgeted.)

ACTION: Res. 84-177 adopted calling for bids.

(Eng. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened April 24, 1984, at 3:05 p.m. for furnishing one gasoline-powered forklift.
(Requested by the Parking and Traffic Department, the forklift will be used as a tool in bus maintenance. Resolution approving specifications and call for bids needed. Estimated cost: \$9,000; funds are budgeted.)

ACTION: Res. 84-178 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider acceptance of John Raney Construction's contract for bike trail at M.I.D. Lateral No. 2 - Phoenix and Conejo. (Original contract: \$11,850.40)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$12,192.25; funds are budgeted.)

ACTION: Res. 84-179 adopted accepting work as complete.

(Clerk to handle)

CONSENT

11. Consider authorizing additional payment on purchase order to Pacific Pipeline Survey which will exceed the \$5,000 purchase order limit.
(A purchase order in the amount of \$4,800 was issued to Pacific Pipeline Survey to test, chemical grout and retest leaking joints in the outfall sewer. This was to cover two days work. At the end of the two days, funds were available for an additional half-day. We wanted to test this process to its fullest extent and opted to work one additional full day. This added \$1,055 to the cost of the purchase order. Council approval is required for purchase orders exceeding \$5,000. Resolution authorizing additional payment of \$1,055 on purchase order to Pacific Pipeline Survey. Funds are budgeted.)

ACTION: Res. 84-180 adopted authorizing additional payment.

(Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Application by Steven Eugene Lawry for certificate of public convenience and necessity to operate a taxi company.
(Resolution setting hearing April 24, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-181 adopted setting hearing.

(Clerk to handle)

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

None

MISCELLANEOUS

CONSENT

14. Legislation: Staff recommends:

OPPOSING

- a) SB 1783 (Robbins) - City Business License Tax Exemptions For Tow Truck Operators
- b) AB 3551 (Mountjoy) - Airport Land Use Commissions

SUPPORTING IN CONCEPT

- c) AB 2641 (Roos) - California Public Improvements Authority Act

SUPPORTING

- d) AB 2894 (Condit) - Radar Speed Limits
- e) AB 3432 (O'Connell) - Property Tax Exchange Between Local Agencies
- f) SB 1470 (McCorquodale) - Bottle Bill

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

ACTION: By motion, recommendations approved, except for item "f", which was referred back to staff for further study. (Mgmt. Services to handle)

15. Appointments

ACTION: Res. 84-182 adopted (Lang/Muratore, unan., Mayor Mensinger absent) appointing Margaret Rush to the Farm-City Advisory Committee, term to expire 5/1/87. (Clerk to handle)

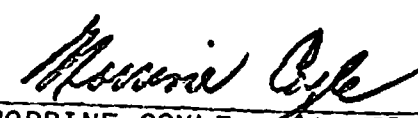
16. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADOURNMENT

(The meeting will be adjourned to April 10, 1984, at 12:00 noon at the S.O.S Club, 819 Sunset Avenue, Modesto, California to honor the Modesto Basketball Team & Coaches.)

The meeting adjourned at 4:20 p.m. to April 10, 1984, 12:00 Noon at the S.O.S. Club.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
April 10, 1984

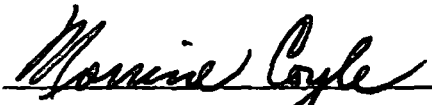
The Council of the City of Modesto met pursuant to adjournment at 12:00 Noon, at the S.O.S. Club, 819 Sunset Avenue, Modesto, California.

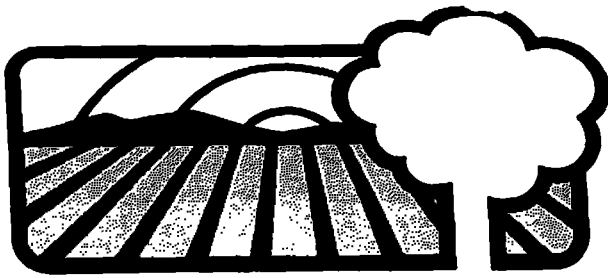
Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

Absent: None

The City Council hosted a luncheon to honor and present resolutions and caps to the Modesto High School basketball team and coaches.

The meeting adjourned at 1:10 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 10, 1984, 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. Joe Wright, Calvary Temple Assembly of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 6, 8, 9, 11, 12, 13, 15, 16,
Dropped from agenda: 10, 23 18, 19, 20, 21, 22, 24
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. Presentation by the Modesto Melody Makers to commemorate Barbershop Harmony Month. Mayor Mensinger presented a proclamation to the Modesto Melody Makers after which they sang a number.
2. Presentation of plaques and resolutions of appreciation to former board and commission members.
The Mayor presented plaques to Colleen Bare, Stanley Farrow, Paul Hall and Donald Vance, and resolutions to Alfonso Pelayo and Margaret Zabel.

MINUTES

CONSENT

3. Approval of the minutes of the April 3, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

4. Final adoption of Ord. No. 2250-C.S. amending P-D(225) to allow C-2 zone uses along with establishing a wholesale-retail building supply business, property located at the northeast corner of Carpenter Road and Elm Avenue. (Gary Bedrosian)

ACTION: By motion, Ord. No. 2250-C.S. Adopted. (Clerk to handle)

5. Further consideration of appeal by Yosemite Properties to a Planning Commission decision regarding an application to rezone from R-1 to P-D for a neighborhood shopping center and adjoining two-story corporate office building, property located at the southwest corner of Standiford Avenue and Carver Road. (At the March 13, 1984, meeting, the City Council granted the appeal and directed staff to develop the necessary documents setting forth the conditions of the P-D.)

ACTION: By motion (Lang/Muratore, unan.) the following conditions were approved: a 35' setback, two driveways on Carver, staff recommendations concerning signs, loading hours the same as garbage collection hours in the morning and 10:00 p.m. in the evening, hours of operation to be 7:00 a.m. to 10:00 p.m., seven days per week.

By motion (Muratore/Patterson, majority, Whiteside and Mayor Mensinger-no) Ord. No. 2251-C.S. introduced. (Patterson, unan.)

Res. 84-183 adopted (Muratore/ approving conditions. (Patterson, unan.)

Res. 84-184 adopted (Muratore/ certifying review of Environmental Assessment. (Clerk/Planning to handle)

CONSENT

6. Report regarding request from Fourth of July Committee.
(Report responding to request from the Fourth of July Committee regarding 1984 Fourth of July Celebration with agenda. Resolution approving assistance for the Fourth of July Committee needed.)

ACTION: Res. 84-185 adopted approving assistance for the Fourth of July Committee. (P.R. to handle)

7. Staff report on request for an R-1 Zone Code text amendment to permit zero-lot line homes on R-1 lots.
(Allen Grant requests an amendment to the R-1 Zone to permit a zero-lot line type of development with the use of a side yard easement. The advantages he cites are development flexibility without the encumbrance of a P-D Zone and construction savings of up to \$1,000 per unit. The staff recommends that the R-1 Zone be limited to conventional development and the P-D Zone be used for innovations such as true zero-lot line development. Staff does not support side yard easement concept. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Muratore/Sutton, unan.) staff directed to prepare an amendment to the Code to permit zero-lot line homes on R-1 lots for Planning Commission consideration. (Planning to handle)

BIDS

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened May 1, 1984, at 3:00 p.m. for furnishing annual requirements of liquid chlorine. (An annual requirement, the liquid chlorine is a cooperative venture with the Cities of Oakdale and Turlock. The chlorine is used in treating residential and industrial waste and is purchased intermittently throughout the 1984-85 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$109,000; funds are budgeted.)

ACTION: Res. 84-186 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider approving specifications and authorizing call for bids to be opened May 1, 1984, at 3:05 p.m. for furnishing annual compaction, aggregate and concrete testing services. (The tests will be performed on various City street, water or construction projects and the services will be purchased intermittently throughout the 1984-85 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,700; funds are budgeted.)

ACTION: Res. 84-187 adopted calling for bids.

(Finance to handle)

10. Consider approving specifications and authorize call for bids to be opened May 1, 1984, at 3:10 p.m. for furnishing one hazardous material trailer. (Requested by the Fire Department, the trailer will be used to transport equipment to handle hazardous material incidents. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

Dropped from agenda.

CONSENT

11. Consider acceptance of The Flintkote Company's contract for improvements in the Orchard Area drainage basin. (Original contract: \$97,992) (All work 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: \$96,662.50; funds are budgeted.)

ACTION: Res. 84-188 adopted accepting work as complete.

(Clerk to handle)

CONSENT

12. Consider award of contract to repave Legion Park parking lot.
(Bids were opened on April 3, 1984. The low bid of \$8,783.50, submitted by George Reed, Inc., is 29% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION:: Res. 84-189 adopted awarding contract.

(Eng. to handle)

CONSENT

13. Consider award of contract for the waterline strengthening on "H" Street from 12th to 15th Street.
(Bids were opened on April 3, 1984. The low bid of \$27,129.50, submitted by Joe Martin Pipeline, Inc., is 38% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department 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. 84-190 adopted awarding contract.

(Eng. to handle)

WRITTEN COMMUNICATIONS

14. Letter from Samuel A. Oppenheim regarding a proposal to regulate campaign contributions in elections for local officials and on local ballot initiatives.

ACTION: By motion (Patterson/Whiteside, unan.) staff directed to follow up on the recommendation.

(Atty. to handle)

CONSENT

15. Letter from Marie Countryman requesting abandonment of walkway next to her property at 2700 Sheffield Lane.
(Motion referring to Planning Commission needed.)

ACTION: By motion, request referred to Planning Commission.

(Planning to handle)

CONSENT

16. Request from Bonnie Moffitt for an amendment to the Bingo ordinance to require financial reports to members of groups using bingo games as fund raisers.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff.

(Police to handle)

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

None

NEW BUSINESS

CONSENT

18. Consider approval of application for funds under the Federal Land and Water Conservation Fund Program for the installation of play apparatus at Beyer Community Park.

(Competitive grants are available through this funding program. A 50/50 local match is required on funded projects. Since the Beyer Park play apparatus installation meets the program's criteria, staff recommends application for the \$21,000. Resolution authorizing filing of an application needed.)

ACTION: Res. 84-191 adopted authorizing filing of an application. (P.R. to handle)

CONSENT

19. Consider approval of County's recommendations concerning revision of fees at the Geer Road Landfill.

(Memo with agenda. Resolution approving recommendation needed.)

ACTION: Res. 84-192 adopted approving recommendation. (Utility Services to handle)

CONSENT

20. Recommend to Council an amendment to Municipal Code Article 2, Definitions, and Section 10-2.901 regarding adult entertainment establishments.
(On March 26, 1984, the Planning Commission adopted Resolution 84-56 recommending to the City Council an amendment to Article 2, Definitions, and Section 10-2.901, Permitted Uses, General Commercial (C-2) Zone regarding adult entertainment establishments. Resolution setting hearing May 8, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-193 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider adopting the Revised City of Modesto Records Management Manual and Records Retention Schedule.

(The City's Records Management Manual and Retention Schedule has been reviewed and updated, with input from representatives of each department and is now ready for Council adoption. Memo with agenda. Resolution adopting Revised Records Manual needed.)

ACTION: Res. 84-194 adopted adopting Revised Records Manual. (Mgmt. Services to handle)

CONSENT

22. Resolution authorizing execution of a purchase agreement with respect to \$1,025,739.09 principal amount of "City of Modesto Improvement Bonds - Improvement District No. 25". Resolution providing for the issuance of \$1,025,739.09 principal amount of "City of Modesto Improvement Bonds - Improvement District No. 25."

(The period in which the property owners of Improvement District No. 25 could pay their assessment in cash has ended. It is now appropriate to proceed with the sale of improvement bonds. Memo with agenda. Two resolutions needed.)

ACTION: Res. 84-195 adopted authorizing execution of a purchase agreement.

Res. 84-196 adopted providing for the issuance of Improvement Bonds. (Finance to handle)

23. Presentation of monthly financial statement for March, 1984.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

Dropped from agenda.

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Opposing AB 2778 (Bradley) - Exemption of Sewage Facilities from Local Ordinances

Supporting AB 2912 (Campbell) - Disposition of Surplus School Sites

(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

CLOSED SESSION

(Closed session to consider an employee relations matter and pending litigation.)

ADJOURNMENT

(Meeting will be adjourned to Friday, April 13, 1984, at 6:30 p.m., McHenry Mansion, for a meeting with the Board of Supervisors of Stanislaus County.)

The meeting adjourned at 11:05 p.m. to closed session and then to April 13, 1984, at 6:30 p.m. at the McHenry Mansion, Modesto, Ca.

ATTEST: *Nurrine Coyle*
NURRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
April 13, 1984

The Council of the City of Modesto met pursuant to adjournment at 6:30 p.m., at the McHenry Mansion, Modesto, California.


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

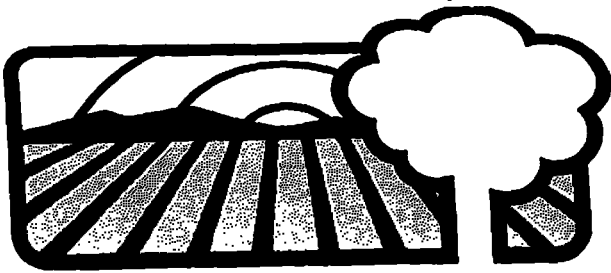
Absent: None

The City Council hosted a dinner meeting with the County Board of Supervisors.

The meeting adjourned at 9:15 p.m.

ATTEST:


GARTY LIPSKY, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 17, 1984, 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. Dwight Horton, Modesto Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13,
16, 17, 18, 19, 21

ACTION: (Lang/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the adjourned regular meeting of April 10, 1984, and the April 10, 1984 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2251-C.S. rezoning from R-1 to P-D(351), property located at the southwest corner of Standiford Avenue and Carver Road.
(Yosemite Properties Co.)
(Motion adopting needed.)

ACTION: By motion (Muratore/Lang, majority, Whiteside and Mayor Mensinger - no)
Ord. No. 2251-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing of Necessity to acquire property by eminent domain for the parallel outfall line project from the following property owners: Bernard Stuit, et al; Leslie William Lee, et al; David Verissimo, et ux; Gerald Mollet, et al; Walker D. Halliday, et ux; Howard Hughes, et ux.

ACTION: Res. 84-197 adopted (Muratore/Whiteside, unan.) approving acquisition of property from Bernard Stuit.

Res. 84-198 adopted (same vote) approving acquisition of property from Leslie William Lee.

Res. 84-199 adopted (same vote) approving acquisition of property from David Verissimo.

Res. 84-200 adopted (same vote) approving acquisition of property from Gerald Mollet.

Res. 84-201 adopted (same vote) approving acquisition of property from Walker D. Halliday.

Res. 84-202 adopted (same vote) approving acquisition of property from Howard Hughes.
(Utility Services to handle)

5. Hearing to consider the adoption or revision of Conflict of Interest Codes for the following:

ACTION: Res. 84-203 adopted revising designated agencies of the City of Modesto required to adopt Conflict of Interest Codes.

Office of Management Services

Res. 84-204 adopted adopting Conflict of Interest Code.

Utility Services Department

Res. 84-205 adopted, adopting Conflict of Interest Code.

Office of City Manager

Res. 84-206 adopted revising Conflict of Interest Code.

Finance Department

Res. 84-207 adopted revising Conflict of Interest Code.

Planning and Community Development Department

Res. 84-208 adopted revising Conflict of Interest Code.

Parking and Traffic Department

Res. 84-209 adopted revising Conflict of Interest Code.

Fire Department

Res. 84-210 adopted revising Conflict of Interest Code.

Parks and Recreation Department

Res. 84-211 adopted revising Conflict of Interest Code.

5. Hearing to consider the adoption or revision of Conflict of Interest Codes for the following: (Continued)

ACTION: Res. 84-212 adopted rescinding Conflict of Interest Code for Public Works Department.

Engineering Services Department

Res. 84-213 adopted adopting a Conflict of Interest Code.

(Clerk to handle)

BIDS

CONSENT

6. Consider approving specifications and authorize call for bids to be opened May 8, 1984, at 3:05 p.m. for furnishing janitorial services at American Legion Hall. (Requested by Tuolumne River Regional Parks Division of the 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, 1984, and ending June 30, 1985. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,000; funds to be included in 1984-85 budget.)

ACTION: Res. 84-214 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened May 8, 1984, 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 1984-85 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$14,100; funds to be included in 1984-85 budget.)

ACTION: Res. 84-215 adopted calling for bids.

(Finance to handle)

CONSENT

8. Consider approving specifications and authorizing the call for bids for furnishing emergency breathing equipment to be opened May 8, 1984, at 3:10 p.m. (This equipment is used by firefighters, rescue, and other emergency situations where breathing equipment is essential to the well-being of the firefighter. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,920; funds are budgeted.)

ACTION: Res. 84-216 adopted calling for bids.

(Finance to handle)

CONSENT

9. Consider award of contract for the resurfacing of Neece Drive from Rouse Avenue to Tuolumne Boulevard. (Bids were opened on April 10, 1984. The low bid of \$36,896, submitted by George Reed, Inc., is 20% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-217 adopted awarding contract.

(Eng. Services to handle)

CONSENT

10. Consider award of contract for strengthening of water system on Bodem Street between Downey and East Morris Avenue.
(Bids were opened on April 10, 1984. The low bid of \$51,506, submitted by Three Rivers Construction is 10% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Resolution awarding contract to Three Rivers Construction needed. Funds are budgeted.)

ACTION: Res. 84-218 adopted awarding contract. (Eng. Services to handle)

CONSENT

11. Consider acceptance of Osterberg & Stewart's contract for the drilling, casing, testing and development of Well No. 49. (Original contract: \$26,347)
(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: \$23,013.20; funds are budgeted.)

ACTION: Res. 84-219 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Letter from William C. Briggs resigning from the Rehabilitation Loan Pool Subcommittee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 84-220 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

13. Request by J. Russell Brown, Jr. for permission to file a late claim on behalf of Kenneth Ray Hoover.
(Resolution denying request needed.)

ACTION: Res. 84-221 adopted denying request. (Clerk to handle)

14.

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

None

NEW BUSINESS

15. Report on the City of Modesto's portion of the 1984-85 Stanislaus County Drug Enforcement Agency's budget. The Agency's total budget will be \$583,809. The City's share will be \$273,777.
(An oral report will be made at the meeting. Memo with agenda. Motion directing staff needed. Funds are budgeted.)

ACTION: By motion (Lang/Bright, unan.) Council indicated its intention to continue in the program. (Police to handle)

CONSENT

16. Consider City-County Joint Transportation Committee recommendations on transit. (Memo with agenda. The recommendations cover ten items. Six motions and five resolutions implementing the recommendations needed. Estimated cost: \$4,000; funds are budgeted.)

ACTION: By motion, expansion of Dial-A-Ride (DAR) service area authorized.

By motion, receipt of report on use of taxis in general public hours of DAR acknowledged.

By motion, staff directed to evaluate transit advertising/promotion program.

By motion, staff authorized to proceed towards a Federal grant to purchase 2 buses.

By motion, staff directed to seek proposals on franchise advertising inside buses.

By motion, staff authorized to develop agreements with AMTRAK and Caltrans for implementing service from Modesto to AMTRAK at Riverbank.

Res. 84-222 adopted, authorizing salary increase in Storer Transit Systems.

Res. 84-223 adopted, setting hearing to consider reducing Dial-A-Ride fares.

Res. 84-224 adopted adopting performance criteria for DAR and recommending that it be adopted by SAAG.

Res. 84-225 adopted setting hearing to modify the bus bench franchise to include the franchisee and his wife.

Res. 84-226 adopted setting policy for chartering City buses.

(P.T./Clerk to handle)

CONSENT

17. Consider approving agreement with H. Wendell Mounce & Associates for the schematic design phase of the new Police building.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$122,126; funds are budgeted.)

ACTION: Res. 84-227 adopted approving agreement.

(Police to handle)

CONSENT

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

ACTION: Res. 84-228 adopted commending the Modesto Police Reserves. (Police to handle)

CONSENT

19. Consider approving agreement with Hewlett Packard for maintenance of the water automation data logger, System 9845B, located in the Utility Services, Water Production Division, for \$6,672 per year.
(Memorandum with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-229 adopted approving agreement. (Finance to handle)

20. Consideration of dates for review of the 1984-85 Proposed Budget and the Four-Year Capital Improvement Program.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Muratore/Sutton, unan.) budget calendar approved. (Finance to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends:

Supporting

- a) AB 4026 (Condit) - Transit Farebox Ratio Requirements
- b) SB 1436 (Johnson) - Telecommunications Acquisition

Strongly Supporting

- c) SB 2333 (Roberti) - City Control Over Sale of Fireworks
- d) SB 2334 (Ellis) - City Control Over Sale of Fireworks

Opposing

- e) AB 2241 (Vicencial) - State Certification of Animal Control Officers

(Motion accepting staff recommendations needed.)

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

22. Appointments

None

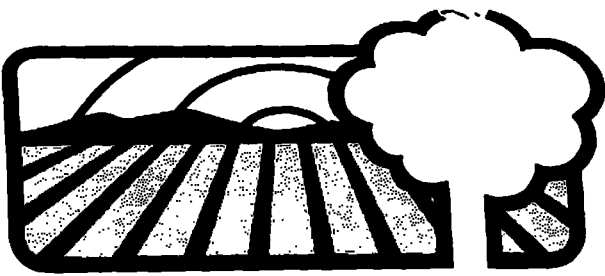
MATTERS TOO LATE FOR THE AGENDA

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

The meeting adjourned at 5:25 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, April 24, 1984 , AT 7:30 P.M.

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

Councilmember Lang arrived at 8:22 p.m.

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Rev. Willard Chapman, Bethel 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, 24,
Dropped from agenda: 27e 25, 26, 27

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of April 13, 1984, and the April 17, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Consider approval of agreement between the City of Modesto and the Modesto High School District concerning tennis courts at Modesto High School.
(This agreement provides for the construction, use and maintenance of four tennis courts at Modesto High School. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-230 adopted approving agreement. (P.R. to handle)

HEARINGS

4. Application of Steven Eugene Lawry for Certificate of Public Convenience and Necessity to operate a taxi company.

ACTION: Res. 84-231 adopted (Muratore/Bright, majority, Whiteside-no, Lang and Patterson absent) denying request.

Councilmember Lang arrived.

5. Hearing to consider College West Area General Plan amendment and Environmental Impact Report.

ACTION: By motion (Lang/Sutton, unan., Patterson absent) hearing continued to May 22, 1984, 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of Tudor-Waldo-Ironside subtrunk sewer extension.
(Suggested bid opening: May 15, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$46,950 (contract \$42,680; engineering \$4,270); funds are budgeted.)

ACTION Res. 84-232 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the exterior painting of the McHenry Museum.
(Suggested bid opening: May 15, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$11,800 (contract \$10,260; engineering \$1,540); funds are budgeted.)

ACTION: Res. 84-233 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider award of contract for the internal repair of the 60-inch outfall sewer.
(Bids were opened on April 17, 1984. The low bid of \$29,700, submitted by Rodding Cleaning Services, Inc. is 49% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Bid tabulation and memo with agenda. Resolution awarding contract to Rodding Cleaning Services, Inc. Funds are budgeted.)

ACTION: Res. 84-234 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider award of contract for the construction of tennis courts at Modesto High School.
(Bids were opened April 17, 1984, at 11:10 a.m. The low bid of \$151,308.34 submitted by Sports Surfacing, Inc., is 1.59% below the engineer's estimate and is considered acceptable. It is recommended that the contract be awarded to Sports Surfacing, Inc. Bid tabulation with agenda. Resolution awarding contract to Sports Surfacing, Inc. needed.)

ACTION: Res. 84-235 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider award of contract for the construction of Tuolumne River Regional Park, Phase II.
(Bids were opened on April 17, 1984. The low bid of \$316,784, submitted by Conco West, Inc., is 1% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the project be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Conco West, Inc. needed. Funds are budgeted)

ACTION: Res. 84-236 adopted awarding contract. (Eng. to handle)

CONSENT

11. Consider award of contract for the construction of Pelandale waterline, east of Blue Bird.
(Bids were opened on April 17, 1984. The low bid of \$33,947.75, submitted by Bond Construction, is 10% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department, that the contract be awarded to them. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 84-237 adopted awarding contract. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Request by Stephen R. Beck, representing Pamela A. D'Olimpia, for permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 84-238 adopted denying request.

(Clerk to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

14. Report on regional airport study.
(The final draft of the Request for Qualifications/Proposals has been approved by officials of the City of Modesto, Stanislaus and San Joaquin Counties and is ready for Council approval to authorize staff to solicit bids from consultants and file an application for federal funding. Memo with agenda. Resolution authorizing staff to solicit bids and a motion authorizing the staff to prepare an application for federal funding of study needed.)

ACTION: Res. 84-239 adopted (Sutton/Bright, unan., Patterson absent) authorizing staff to solicit bids.

By motion (same vote) staff authorized to prepare application.

(Utility Services to handle)

15. Consider proposals to provide essential air service between Modesto/Los Angeles.
(The City has received four proposals to provide our essential air service to Los Angeles. Staff has prepared comments on those proposals for Council approval. Memo with agenda. Motion approving the draft letter to the Civil Aeronautics Board needed.)

ACTION By motion (Muratore/Whiteside, unan., Patterson absent) approved letter with the addition of the City's views concerning schedules, fares, and handicapped accessibility. (Utility Service to handle)

CONSENT

16. Set date for public hearing for further consideration of the request of Modesto City Schools to vacate and abandon California Avenue between Jefferson and "H" Streets and the 20-foot public alley in Block 400.

(This abandonment request was previously considered by the Council on December 7, 1982, but final action was delayed until City Schools was ready to proceed with a closure. A letter has been received requesting that the abandonment be completed. A new public hearing is required. Memo with agenda. Resolution setting public hearing on May 15, 1984, at 4:00 p.m. needed.)

ACTION Res. 84-240 adopted setting hearing. (Clerk to handle)

CONSENT

17. Set public hearing to buy two buses.
(Memo with agenda. The public hearing is necessary to complete a grant augmentation for the purchase of two replacement buses. Resolution setting hearing on June 5, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-241 adopted setting hearing (Clerk to handle)

CONSENT

18. Consider authorizing the City Manager to execute a hold harmless agreement with Johnstown Properties for a Community Crime Prevention Fair on May 5 and 6, 1984.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-242 adopted approving agreement. (Police to handle)

CONSENT

19. Consider escalation of sewer bond redemption charges for residential, commercial, and industrial properties for fiscal year 1984-85.
(Annually the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that the escalation of these charges not be waived for fiscal year 1984-85. Memo with agenda. Motion approving recommendation needed.)

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

CONSENT

20. Consider an agreement between the City of Modesto and Underground Service Alert (USA).
(USA notification center provides a one-call service to anyone wishing to excavate and locate underground installations (gas, electric, telephone, water, sewer, etc.) prior to excavation. This agreement updates previous agreement. Memo with agenda. Resolution approving agreement needed. Estimated annual cost: \$2,114; funds are budgeted.)

ACTION: Res. 84-243 adopted approving agreement. (Utility Serv. to handle)

CONSENT

21. Consider approval of the final map of Rosegate Townhouses No. 3 subdivision, of the City of Modesto. (Subdividers: First Interstate Bank of California and Rosegate Homeowners Association.)

(All improvements are existing and accepted by the City, and all fees have been paid. Rosegate Townhouses No. 3 is located at the northwest corner of Scenic Drive and Rose Avenue. It contains 1.549 acres. Resolution approving final map needed.)

ACTION: Res. 84-244 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in John Kristian Jonansen Estates and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Stanislaus County Housing Authority)

(John Kristian Jonansen Estates is located between Haddon Avenue and Roble Avenue, on both sides of Phoenix Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-245 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Amend the Position Classification Plan to add the new classes of "Assistant to the City Manager" and "Principal Planner." (Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classifications in the salary resolution needed.)

ACTION: Res. 84-246 adopted amending the Position Classification Plan.

Res. 84-247 adopted amending the salary schedule. (Mgmt. Services to handle)

CONSENT

24. Presentation of monthly financial statement for March, 1984. (Copies of the report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Consider amending the Municipal Code to establish procedure for designating interstate truck routes in Modesto and to establish a fee for investigating proposed routes.

(Memo with agenda. The State now allows longer and wider "Interstate" trucks than previously allowed and regulations need to be established to accommodate them. Introduction of ordinance establishing procedure for designating interstate truck routes needed, and resolution establishing fee for investigating proposed interstate truck routes needed.)

ACTION: By motion, Ord. No. 2252-C.S. introduced amending Code. Res. 84-248 adopted establishing fee. (Clerk/P.T. to handle)

MISCELLANEOUS

CONSENT

26. Consider appoint an alternate to the Economic Development Action Committee.

(Memo with agenda. Motion appointing Vice-Mayor Richard Patterson as alternate to the Economic Development Action Committee needed.)

ACTION: By motion, Vice-Mayor Richard Patterson appointed as alternate to the Economic Development Action Committee. (Clerk to handle)

CONSENT

27. Legislation: Staff recommends opposing the following:

- a) AB 2369 (Floyd) - Local Public Agency Employer-Employee Relations
- b) AB 2956 (Floyd) - Transportation Funds. Labor Disputes.
- c) SB 1440 (Torres) - Unlawful Employment Practices
- d) SB 1626 (Rosenthal) - Local Public Agency Employer-Employee Relations
- e) SB 2084 (Lockyer) - Unfair Employment Practices - Comparable Worth

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

Item 27e dropped from agenda.

ACTION: By motion, recommendation concerning a,b,c, and d approved. (Mgmt. Services to handle)

28. Appointments

None

MATTERS TOO LATE FOR THE AGENDA

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

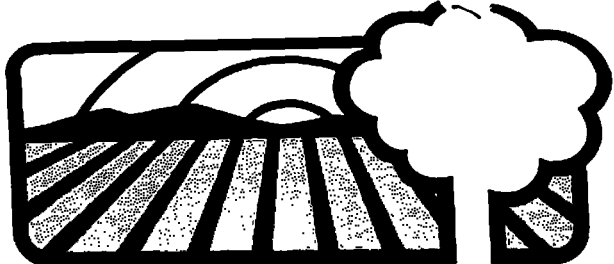
None

ADJOURNMENT

The meeting adjourned at 9:25 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 1, 1984 , 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. Jack Bullock, First Southern Baptist Church, Keyes, Ca.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 3A, 7, 8, 9, 10, 11, 12,
13, 14, 15, 16, 17, 18, 19, 20, 21,
Removed from Consent: 30 22, 24, 25, 26, 27, 28, 29, 30, 31

ACTION: (Muratore/Patterson, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Presentation regarding Neighborhood Watch Program.

Mayor Mensinger presented a proclamation to Sgt. Guthrie proclaiming May, 1984, as Neighborhood Watch Month.

b. Consider resolution commending the Modesto Neighborhood Watch Program and its citizen participants.

(Memo with agenda. Resolution needed.)

ACTION: Res. 84-249 adopted (Sutton/Whiteside, unan.) commending the Modesto Neighborhood Watch Program and its citizen participants.

MINUTES

CONSENT

2. Approval of the minutes of the April 24, 1984, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Consider approval of Youth Sports Funding formula.
(This would provide a way to allocate money to youth sports programs that would be fair to all organizations involved. Memo with agenda.
Resolution approving funding allocation to youth sports programs needed.)

ACTION: Res. 84-250 adopted approving funding allocation. (P/R to handle)

CONSENT

- 3A. Final adoption of Ord. No. 2252-C.S. establishing a procedure for designating interstate truck routes in Modesto.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2252-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider amendment to P-D(253) to allow Pagnetti's restaurant to serve alcoholic beverages, property located at the northwest corner of Standiford Avenue and Prescott Road. (Fred Malek and Wilhelm Huber)

ACTION: By motion (Lang/Sutton, unan.) Ord. No. 2253-C.S. introduced.

Res. 84-251 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

5. Hearing to consider amendment to P-D(197) to allow a two-story condominium development, property located on the northeast corner of Standiford Avenue and San Clemente. (C.D.S. Development)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2254-C.S. introduced.
Res. 84-252 adopted (same vote) amending plan and certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider amendment to P-D(259) to allow a 42-unit two-story residential condominium development, property located at the southwest corner of Rumble Road and Lou Ann Drive. (Mid-Valley Engineering)

ACTION: By motion (Whiteside/Lang, unan.) Ord. No. 2255-C.S. introduced.
Res. 84-253 adopted (same vote) amending conditions and certifying review of Environmental assessment. (Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the removal of Dennett Dam.
(Suggested bid opening: May 22, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$36,800 (\$32,000 contract; \$4,800 engineering); funds are budgeted.)

ACTION Res. 84-254 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications for the sitework at Dryden maintenance facility.
(Suggested bid opening: May 22, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$49,143.32 (\$42,548.33 contract; \$6,594.99 engineering & cont.); funds are budgeted.)

ACTION: Res. 84-255 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids for furnishing rock, sand, and gravel products to be opened on May 22, 1984, at 3:00 p.m.
(These materials are used throughout the City for expansion, repair, and new capital outlay projects. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,000; funds are budgeted.)

ACTION Res. 84-256 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened May 29, 1984, at 3:15 p.m. for furnishing two bus engines.
(Requested by the Service Division, the bus engines will serve as standby replacement units for the Gillig and G.M.C. coaches presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$26,000; funds are budgeted.)

ACTION: Res. 84-257 adopted calling for bids.....(Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened May 22, 1984, at 3:05 p.m. for furnishing blueprint services for various City Departments.
(The blueprinting services will be provided for various City Departments throughout the 1984-85 fiscal year. The outside service will supplement printing that the City is unable to do "in house." Resolution authorizing call for bids needed. Estimated cost: \$6,000; funds will be budgeted.)

ACTION: Res. 84-258 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened May 29, 1984, at 3:00 p.m for furnishing twelve portable radios. Requested by the Fire Chief, the portable radios will provide communications between the Emergency Communications Center (EOC) and Damage Assessment Teams as part of the City's Emergency Preparedness Plan. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 84-259 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider award of contract for the construction of Ekins and Gagos subtrunk sewer.
(Bids were opened on April 24, 1984. The low bid of \$98,090, submitted by Strata Construction, is 10% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Strata Construction needed. Funds are budgeted.)

ACTION: Res. 84-260 adopted awarding contract. (Eng. to handle)

CONSENT

14. Consider award of contract for the resurfacing of West Roseburg from Tully Road to Carver Road.
(Bids were opened on April 24, 1984. The low bid of \$35,666, submitted by George Reed, Inc., is 20% below the engineer's estimate. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-261 adopted awarding contract. (Eng. to handle)

CONSENT

15. Consider award of contract for epoxy-injection repairs at three City parking structures.
(Memo with agenda. Bids were opened on April 24, 1984, and Adhesive Engineering Company was the low bidder at \$15,750. The bid is 5% over the estimate but is acceptable. Resolution awarding contract to Adhesive Engineering Company needed. Funds are budgeted.)

ACTION: Res. 84-262 adopted awarding contract. (P.T. to handle)

CONSENT

16. Consider acceptance of Three Rivers Construction's contract for the Paradise waterline from Pine Tree Lane to Sheridan. (Original contract: \$58,925)
(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: \$62,664.09; funds are budgeted.)

ACTION: Res. 84-263 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Three Rivers Construction's contract for the replacement of irrigation line along Emerald Avenue and across Kansas Avenue. (Original contract: \$29,455)
(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: \$30,862.96; funds are budgeted.)

ACTION: Res. 84-264 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of Morrow and Waggoner's contract for Herndon Avenue improvements along east side of Mancini Park - Block 3500. (Original contract: \$24,525)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$25,334; funds are budgeted.)

ACTION: Res. 84-265 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of B & L Builders contract for the Legion Park restroom remodeling. (Original contract: \$13,600)
(All work on this project has been completed to the satisfaction of the Engineering Department and the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$13,793.85; funds are budgeted.)

ACTION: Res. 84-265 adopted accepting work as complete. (Clerk to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize the purchase of a disk drive from Hewlett Packard for the total purchase price of \$5,212. (The Water Division has been having problems with the Hewlett Packard computer that monitors the City's water pumps. The problems have been traced to the computer tape drive and the use of tapes. The tapes have been wearing out at an unpredictable rate. The new disk drive will eliminate the need for tapes. Hewlett Packard is the sole source for the disk drive. Resolution waiving formal bid procedures and authorizing the purchase of a disk drive from Hewlett Packard needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-267 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of front-end loader transmission repairs from J. M. Equipment Co. for the estimated price of \$7,000.

(Transmission repairs cannot be done by the Service Division. J. M. Equipment Company is the authorized repair facility for this area. Specifications are impractical due to the nature of the work to be performed. Resolution waiving formal bid procedures and authorizing the purchase of transmission repair services from J. M. Equipment Company needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-268 adopted waiving formal bid procedures.
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

22. Request from Stanislaus County Area Agency on Aging for free Dial-A-Ride and Intracity Transit transportation for senior citizens on May 19, 1984, Senior Awareness Day.

(Application and memo with agenda. Motion authorizing free rides needed. Estimated cost: \$195 in foregone revenues.)

ACTION: By motion, free rides authorized. (P.T. to handle)

22A. Consider setting hearing on May 15, 1984, in connection with the reapplication by Steven Eugene Lawry for a certificate of convenience and necessity to operate a taxi company.

ACTION: Res. 84-269 adopted (Muratore/Bright, unan.) setting hearing on June 26, at 7:30 p.m. (Clerk to handle)

By motion (same vote) Mr. Lawry requested to furnish any information he has to staff as soon as possible. (P.T. to handle)

23.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

None

NEW BUSINESS

CONSENT

24. Consider Summer Water Conservation program for 1984.

(Staff recommends approval of a Water Conservation Program again this summer, including a Council resolution prohibiting outside watering of landscaped areas from 4:00 p.m. until 8:00 p.m., June 1, 1984, each day except Sunday. Memo with agenda. Motion approving Water Conservation Program needed and resolution establishing limitations on outside watering needed. Estimated cost: \$8,600; funds are budgeted.)

ACTION: By motion, Water Conservation Program approved.

Res. 84-270 adopted establishing limitations on outside watering.

(Utility Services to handle)

CONSENT

25. Consider approving two lease agreements with Gus J. and Georgia J. Papatone for the lease of the Roselle Neighbornood School and Park site. (This is a one-year renewal of an existing lease Rent remains the same at \$1,850 per year. This year staff is writing separate leases for the school site and park site so the school site can be conveyed to the newly established Relocatable Agency as approved by Council. Two resolutions approving lease agreements needed.)

ACTION: Res. 84-271 adopted approving lease agreement for Roselle Neighbornood School site.
Res. 84-272 adopted approving lease agreement for Roselle Neighbornood Park site. (Utility Services to handle)

CONSENT

26. Consider authorizing the commitment of \$25,000 of CDBG funds for off-site improvements at the True Light Paradise Manor Project, contingent upon acceptance by H.U.D. of the application for construction funds by the True Light Paradise Manor. (Minutes with agenda. Citizens Housing & Community Development Committee recommended approval of application for CDBG funds at meeting of April 18, 1984. Resolution authorizing commitment of funds with expenditure contingent upon H.U.D. approval of project needed. Funds are budgeted.)

ACTION: Res. 84-273 adopted authorizing commitment of funds. (Planning to handle)

CONSENT

27. Consider acceptance of improvements in Chiloquin Villas subdivision and authorize Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Lawson L. and Shirley A. Martin, Kenneth L. and Sandra Joyce Graham.) (Chiloquin Villas subdivision is located on the north side of Scenic Drive between Rose Avenue and Brook Vale Drive. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-274 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

28. Presentation of 1984-85 proposed budget and Four-Year Capital Improvement Program 1984-85 through 1987-88. (Copies of both documents will be presented at the meeting. Resolution setting public hearing June 5, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-275 adopted setting hearing. (Clerk to handle)

CONSENT

29. Consider revising the list of personnel authorized to represent the City in small claims court. (Memo with agenda. Resolution superseding Resolution No. 79-219 and authorizing designated individuals to represent the City in small claims court needed.)

ACTION: Res. 84-276 adopted revising the list of personnel authorized to represent the City in small claims court. (Clerk to handle)

30. Consider declaring the guns noted on Exhibit A as surplus to City needs and authorizing the City Manager to sign an auction agreement with Roger Ernst and Associates to sell same.
(Memorandum with agenda. Resolution declaring guns surplus and approving an auction agreement with Roger Ernst and Associates needed.)

ACTION: Res. 84-277 adopted (Lang/Sutton, majority, Mayor Mensinger-no) declaring guns surplus and approving an auction agreement with Roger Ernst and Asso. (Finance to handle)

MISCELLANEOUS

CONSENT

31. Legislation: Staff recommends:

OPPOSING

- a) AB 3167 - (Floyd) - Public Employees Retirement. Unilateral Bargaining Decisions.
- b) SB 1668 (McCorquodale) - Local Public Agency Employer-Employee Relations.
- c) SB 1885 (Ellis) - Fee Increase Restrictions.

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

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

32. Appointments

None

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

ACTION: In response to a request from Bud LaCore, By motion (Whiteside/Bright, unan.) Council declared its intention to continue the May 8, hearing concerning Adult Entertainment establishments to June 26, 1984, at 7:30 p.m. (Clerk to handle)

34. CLOSED SESSION
(Closed session to discuss an employee relations matter.)

ADJOURNMENT

(Meeting will be adjourned to Friday, May 4, 1984, at 6:30 p.m. at McHenry Mansion for a meeting with the Curtains Up '88 Directors, and then to 3:00 p.m., Monday, May 7, 1984, in the Council Chambers to study the 1984-85 budget.)

The meeting adjourned at 5:10 p.m. to closed session to discuss an employee relations matter and pending litigation, and then to May 7, 1984, at 3:00 p.m. in the Council Chambers.

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.

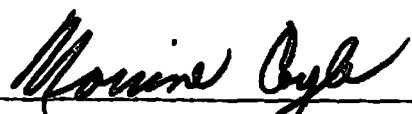
Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

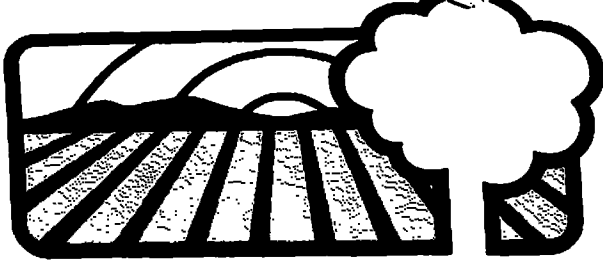
Absent: None

The following budgets were reviewed:

- City Council
- City Manager
- Management Services
 - Administration/Governmental Relations
 - Citizens Information Service
 - Personnel
 - Word Processing
 - 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
- Police
 - Administration
 - Administrative Services
 - Stanislaus County Drug Enforcement Unit
 - Investigative Services
 - Field Operations
 - Animal Control Operations

The meeting was adjourned at 5:25 p.m.

ATTEST: 
NURRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 8, 1984, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Joseph Byrne

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13,
16, 17, 18

Removed from Consent: 15

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 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 May 1, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of the following:

- a. Ord. No. 2253-C.S. amending P-D(253) to allow Pagnetti's restaurant to serve alcoholic beverages, Standiford and Prescott Road.
- b. Ord. No. 2254-C.S. amending P-D(197) to allow a two-story condominium development, property located on the northeast corner of Standiford Avenue and San Clemente. (C.D.S. Development)
- c. Ord. No. 2255-C.S. amending P-D(259) to allow a 42-unit, two-story residential condominium development, property located at the southwest corner of Rumble Road and Lou Ann Drive. (Mid-Valley Engineering)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider an amendment to Municipal Code Article 2 Definitions, and Section 10-2.901 regarding adult entertainment establishments.
(At its meeting on May 1, the City Council indicated its intention to continue this hearing to June 26, 1984, at 7:30 p.m.)

ACTION: By motion (Sutton/Whiteside, unan.) hearing continued to June 25, 1984, at 7:30 p.m. (Clerk to handle)

5. Appeal of Nysten Development, Inc. to a Planning Commission decision concerning an application to rezone from R-1 to P-D, to allow a two-story apartment development, property located between Standiford Avenue and West Rumble Road.

ACTION: By motion (Patterson/Sutton, unan.) Ord. No. 2256-C.S. introduced. Res. 84-278 adopted (same vote) granting appeal, approving plan, and certifying review of Environmental Assessment.

(Clerk/Planning to handle)

6. Informal hearing to consider appeal of Mid-Valley Engineering for authorization to locate a sewer line under a building. The proposed location had been denied by the Director of Engineering.
(Memo with agenda.)

ACTION: Res. 84-279 adopted (Lang/Whiteside, majority, Bright, Muratore, and Mayor Mensinger - no) granting the appeal and overruling the Director of Engineering Services. (Engineering to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for site improvements at Fire Station No. 5.
(Suggested bid opening: June 5, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$12,200 (contract \$11,617.25; engineering \$582.75); funds are budgeted.)

ACTION: Res. 84-280 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for tree topping in the Airport clear zone.
(Suggested bid opening: June 5, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$6,600 (contract \$6,000; engineering \$600); funds are budgeted.)

ACTION: Res. 84-281 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the polyurathane lining of Emerald and Woodland lift station and pipeline at water quality control plant.
(Suggested bid opening: May 22, 1984, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$90,300 (contract \$86,000; engineering \$4,300); funds are budgeted.)

ACTION: Res. 84-282 adopted calling for bids. (Eng. to handle)

CONSENT

10. Consider approving specifications for fertilizer and authorize the call for bids to be opened on May 29, 1984 at 3:10 p.m.
(This material will be used by the Parks and Recreation Department to fertilize various parks throughout the City. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$7,500; funds are budgeted.)

ACTION: Res. 84-283 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the construction of Improvement District No. 25. Bonds have been sold and the monies deposited in the City account. It is now time to award the contract to Superior Pipeline, Inc. (Bids were opened on February 7, 1984. The low bid of \$1,274,146, submitted by Superior Pipeline, Inc., is 11% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Superior Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-284 adopted awarding contract. (Eng. to handle)

CONSENT

12. Consider declaring Halprin Supply Co. low bidder and authorize the purchase of replacement fire hose from the firm for the total price of \$22,260.
(Memorandum with agenda. Resolution approving agreement for purchase of replacement fire hose needed. Funds are budgeted.)

ACTION: Res. 84-285 adopted awarding contract. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Request from D.I.D. for permission to hold sidewalk sale May 16th through 19th, 1984.
(Motion approving request needed.)

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

14.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

This item was taken out of order at the beginning of the meeting. Joe Byrne asked the City Council to go on record as being opposed to SCA-44 concerning initiatives. Referred to staff. (Mgmt. Serv. to handle)

NEW BUSINESS

CONSENT

15. Consider proposed Community Center Charge for Culture Commission.
(Memo with agenda. Motion approving charge for Culture Commission on Community Center needed.)
After Dave Dolan stated his concerns, Mayor Mensinger felt she should be excused from the discussion due to a conflict of interest.

ACTION: By motion (Sutton/Muratore, unan., Mayor Mensinger absent) charge approved. (P.R. to handle).

CONSENT

16. Set hearing to consider revisions to the Conflict of Interest Codes of the City Manager's Office to add the Assistant to the City Manager position, and Planning and Community Development Department, to delete the Senior Planner position and add Principal Planner.
(Resolution setting hearing on June 5, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-286 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider amending the Annual Budget of the Special Gas Tax Street Improvement Fund (Fund No. 7) for the 1983-84 fiscal year to provide funds for street maintenance.
(Memo with agenda. Resolution amending the 1983-84 Annual Budget needed.)

ACTION: Res. 84-287 adopted amending annual Budget. (Finance to handle)

MISCELLANEOUS

CONSENT

18. Legislation: Staff recommends strongly opposing AB 3822, (Filante), County Contracts with Cities for Provision of Services. (Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

19. Appointments

None

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

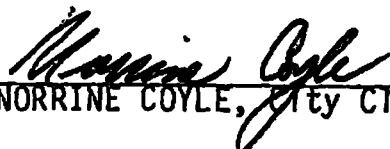
Councilmember Muratore reported on the status of the fare box ratio and radar bills.

21. CLOSED SESSION
(Closed session to discuss an employee relations matter.)

ADJOURNMENT

(Meeting will be adjourned to 3:00 p.m. on Thursday, May 10, 1984, in the Council Chambers to study the 1984-85 budget, then to Friday May 11, at 6:30 p.m. at the McHenry Mansion for a meeting with the Curtains Up '88 Directors, and then to Monday, May 14, at 3:00 p.m. in the Council Chambers, to continue the budget study.)

The meeting adjourned at 9:45 p.m. to closed session, then to 3:00 p.m., May 10, 1984, in the Council Chambers and then to 6:30 p.m. May 11, 1984, at the McHenry Mansion, then to Monday, May 14, at 3:00 p.m. in the Council Chambers, to continue the budget study.

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, Patterson, Sutton,
Whiteside, Mayor Mensinger
(Councilmember Patterson arrived at 3:20 p.m.)

Absent: None

The following budgets were reviewed:

Parking and Traffic

Parking and Traffic (General Fund)
Parking Fund
Bus Service

Parks and Recreation

Administration
Parks Service and Repair
Parks Grounds Maintenance
Trees Planting and Maintenance
Trees 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
Misc. Facilities General
Misc. Facilities King-Kennedy
Misc. Facilities Senior Citizens Center
Misc. Facilities Community Service Center
Tuolumne River Regional Park

Engineering Services

Administration
Engineering
Construction Administration
Building Inspection

The meeting was adjourned at 4:35 p.m.

ATTEST: _____


NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 11, 1984

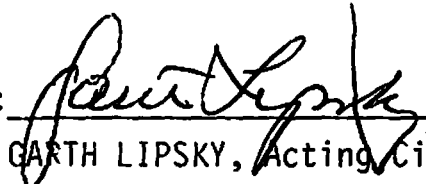
The Council of the City of Modesto met pursuant to adjournment at 6:30 p.m., at the McHenry Mansion, Modesto, California.

Present: Councilmembers Bright, Lang, Muratore, Sutton, Whiteside

Absent: Councilmember Patterson, Mayor Mensinger

The City Council hosted a dinner meeting with the Curtains Up '88 Directors.

The meeting adjourned at 8:30 p.m.

ATTEST: 
GARTH LIPSKY, 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, Muratore, Sutton, Whiteside,
Acting Mayor Patterson
(Councilmember Muratore arrived at 3:15 p.m.
Councilmember Whiteside arrived at 3:25 p.m.)

Absent: Mayor Mensinger

The following budgets were reviewed:

Planning and Community Development
Planning and Community Development (General Fund)
Housing and Community Development
Redevelopment Agency

Downtown Improvement District

Fire

Administration
Disaster and Civil Defense
Training
Prevention
Suppression

Utility Services

Administration
Electrical
Streets
Street Cleaning
City Hall
Water Division
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

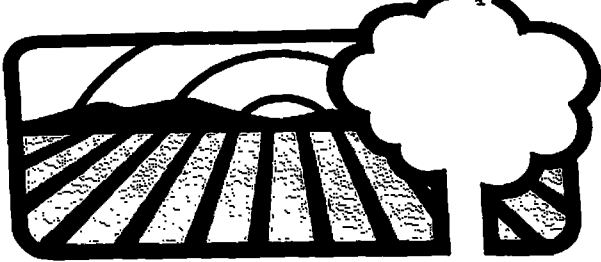
Parks and Recreation Department

The meeting was adjourned at 5:00 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 15, 1984, 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: Rev. Roy Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 12, 13, 14,
15, 18, 19, 20, 21, 22, 23, 24, 25

Removed from Consent: 18

ACTION: (Bright/Whiteside, 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.)

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. 1. Arthur Burgett (\$50.00) Parks and Recreation Department employee for implementing the installation of a "garbage barrel stanchion" to secure litter barrels in all City parks.
2. Cecil Pavlacky (\$50.00) Parks and Recreation Department employee for implementing the installation of toilet paper dispensers that will better withstand vandals.

5/15/84

3. Billy Rochester (\$50.00) Parks and Recreation Department employee for implementing the installation of toilet paper dispensers that will better withstand vandals.
4. Patrick Sinnott (\$500.00) Police department employee for implementing a system to replace "card closures" that have been used by patrol officers for minor reports.

The checks were presented by Acting Mayor Patterson.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of May 7, 1984, and the May 8, 1984, regular City Council meeting.
(Motion approving needed.)

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

HEARINGS

3. Hearing to consider authorizing filing the Federal transit operating grants for the 1984-85 fiscal year.

ACTION: Res. 84-288 adopted (Muratore/Whiteside, unan., Mayor Mensinger absent) approving filing of Federal transit operating grants)
(P/T to handle)

4. Hearing to consider request of Modesto City Schools to vacate and abandon California Avenue between Jefferson and "H" Streets and the 20-foot public alley in Block 400.

Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Whiteside/Bright, unan., Lang and Mayor Mensinger absent) intention declared to approve abandonment after appropriate action by Modesto Board of Education. (Planning to handle)

5. Hearing to consider rezoning from R-1 to P-D(352) and R-2, for a 2-story residential condominium development, property located on the east side of Oakdale Road, south of Floyd Avenue, and to consider the appeal of Mid-Valley Engineering, on behalf of Florsheim Properties, to a Planning Commission decision denying a request for 216 units and permitting only 208 units on the development.

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent)
Ord. No. 2257-C.S. introduced rezoning to P-D(352).
Res. 84-289 adopted (same vote) approving plan, cert. review of e.a.
By motion (same vote) Ord. No. 2258-C.S. introduced rezoning to R-2.
Res. 84-290 adopted (same vote) granting appeal subject to conditions
(Clerk/Planning to handle)

6. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to prezone to P-D(353) for a neighborhood shopping center at the southwest corner of Standiford Avenue and Prescott Road. (Elwin Young, c/o Pacific Design Associates)

ACTION: By motion (Bright/Lang, unan., Mayor Mensinger absent) hearing continued to June 12, 1984, 7:30 p.m., at the request of the applicant. (Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the reconstruction of Elm Avenue from Arrowhead Court to Emerald Avenue. (Suggested bid opening: June 12, 1984, at 11:00 a.m. Project description with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$77,600 (contract \$70,545; engineering \$7,055); funds are budgeted.)

ACTION: Res. 84-291 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the improvement of Emerald Avenue between Modesto Irrigation District Lateral No. 4 and Laurel Avenue. (Suggested bid opening: June 12, 1984, at 11:05 a.m. Project description with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$17,185 (contract \$16,365; engineering \$820); funds are partially budgeted. The balance will be requested after award of contract.)

ACTION: Res. 84-292 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids for furnishing swimming pool chlorine and muratic acid to be opened on June 5, 1984, at 3:00 p.m. This is an annual bid. (The swimming pool chlorine and muratic acid will be used throughout the year by the Parks and Recreation Department for swimming and training pool maintenance. The swimming pool chlorine and muratic acid will be purchased throughout the 1984-85 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,000; funds to be budgeted.)

ACTION: Res. 84-293 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approval of specifications and authorizing the call for bids to be opened June 5, 1984, at 3:05 p.m. for furnishing annual dry cell battery requirements.

(An annual requirement, the bid is a cooperative venture with Stanislaus, 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 - City portion: \$3,100; funds are budgeted.)

ACTION: Res. 84-294 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider declaring United States Testing Company, Inc. low bidder and authorize the purchase of annual compaction, aggregate and concrete testing services from the firm.

(Memorandum with agenda. Resolution authorizing purchase needed. Estimated cost: \$6,675; funds are budgeted.)

ACTION: Res. 84-295 adopted awarding contract. (Finance to handle)

CONSENT

13. Consider declaring Capital Fire Equipment low bidder and authorizing the purchase of emergency breathing equipment.

(Memorandum with agenda. Resolution declaring Capital Fire Equipment low bidder and authorizing the purchase needed. Estimated cost: \$6,911.20; funds are budgeted.)

ACTION: Res. 84-296 adopted awarding contract. (Finance to handle)

CONSENT

14. Consider authorizing the purchase of liquid chlorine from Jones Chemicals, Inc. for the price of \$163 per ton for a period of one year beginning July 1, 1984.

(Memorandum with agenda. Resolution authorizing the purchase of liquid chlorine from Jones Chemicals needed. Estimated cost: \$114,500; funds to be budgeted.)

ACTION: Res. 84-297 adopted authorizing purchase. (Finance to handle)

CONSENT

15. 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, 1984, and ending June 30, 1985.

(Memorandum with agenda. Resolution accepting proposal needed. Estimated cost: \$15,000; funds to be budgeted.)

ACTION: Res. 84-298 adopted accepting proposal of the Modesto Bee. (Finance to handle)

WRITTEN COMMUNICATIONS

16. Letter from Russ Newman regarding College West General Plan amendment.

ACTION: By motion (Lang/Muratore, unan., Mayor Mensinger absent) Council indicated its intention at the time for the Public Hearing on Tuesday, May 22 at 7:30 p.m., to terminate the proposed amendment to the General Plan for the College West Area, subject to the right of the Council to reinitiate the proposal at a later time, and directing the City Clerk to notify interested parties of the Council's intention. (Clerk to handle)

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

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) Council indicated to staff that Ron Dale's proposal concerning a hot air balloon is acceptable and directed staff to propose an amendment to the sign ordinance that would permit this type of activity. (Planning to handle)

Mona Janopaul requested a reiteration of the action taken earlier in the meeting concerning the College West General Plan amendment hearing.

NEW BUSINESS

18. Consider proposed issuance of up to \$6.5 million of Multiple-Family Mortgage Revenue Bonds.
(Valley Oaks Associates (Florsheim Properties) has applied for multiple family mortgage revenue bonds to finance Valley Oaks, a multiple-family development of up to 216 units to be located on the east side of Oakdale Road at the proposed Manor Oak Drive. Memo with agenda. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by Valley Oaks Associates needed.)

Taken up immediately after item 5.

ACTION: Res. 84-299 adopted (Sutton/Whiteside, unan., Mayor Mensinger absent) authorizing issuance of bonds. (Planning to handle)

CONSENT

19. Consider cooperative agreement with Stanislaus County for installation of improvements on California Avenue in the vicinity of Mark Twain Junior High School.
(The cost of the City's share of the project is \$41,550. Reimbursement through SAAG in Non-Motorized Transportation Funds is expected to be \$37,395. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-300 adopted approving agreement. (Eng to handle)

CONSENT

20. Consider approving lease agreement with Raymond L. and Ruby C. Marsh for the lease of 1004 Thrasner.
(This is a house which was purchased several years ago for Airport Neignorhood Park site. This is a one-year renewal of an existing lease. Rent remains the same at \$410 per month. Resolution approving agreement needed.)

ACTION: Res. 84-301 adopted approving lease agreement.
(Utility Services to handle)

CONSENT

21. Consider authorizing the City Manager to submit an application to the State of California, Division of Safety of Dams, for construction of an effluent storage reservoir.
(The storage reservoir is a necessary part of the sewage treatment plant expansion project. A \$42,400 fee is required to accompany the application. Memo with agenda. Resolution approving application to the Division of Safety of Dams needed. Funds are budgeted.)

ACTION: Res. 84-302 adopted approving application.
(Utility Services to handle)

CONSENT

22. Consider approval of annual claim for Local Transportation Funds, State Transit Assistance Funds, and Non-Motorized Funds.
(Each year the City of Modesto makes a claim to the Stanislaus Area Association of Governments (SAAG) for its apportionment of Transportation Development Act Funds. This year's claim is for \$2,590,606 plus \$31,500 of Non-Motorized Funds. Resolution authorizing submission of the annual transportation claim needed.)

ACTION: Res. 84-303 adopted authorizing submission of the annual transportation claim.
(Finance to handle)

CONSENT

23. Consider approval of LAFCO Questionnaire indicating no opposition to Houser Lane No. 2 Annexation.
(Proponents propose annexation of 8.1 acres located between Houser Lane and California Avenue, east of Carpenter Road. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 84-304 adopted responding favorably to proposed annexation.
(Planning to handle)

CONSENT

24. Presentation of monthly financial statement for April, 1984.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends:

Opposing

- a) AB 3215 (Farr) - Industrial PERS Retirement/Social Security Offset
- b) AB 3967 (Farr) - Development Districts
- c) SB 2107 (Marks) - New Housing Element Requirements

Supporting

- d) SB 2126 (Greene) - Rental Housing Funding
- e) AB 3978 (Farr) - Economic and Business Development

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

ACTION: By motion, recommendations approved.

26. Appointments

None

27.

MATTERS TOO LATE FOR THE AGENDA

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

None

ADJOURNMENT

(Meeting will be adjourned to Wednesday, May 16, 1984, at 3:00 p.m. in the Council Chambers, to continue the budget study.)

The meeting adjourned at 5:45 p.m. to May 16, 1984, 3:00 p.m. in the Council Chambers.

ATTEST:



NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
May 16, 1984

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, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

Absent: Councilmember Bright

The following budget was reviewed:

Music and Promotion

The meeting was adjourned at 5:15 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

5/16/84

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:

Music and Promotion

ACTION: By motion (Muratore/Patterson, unan.) request of Modesto Band increased to \$4,500, part to go for trip to Europe, part for page in their program.

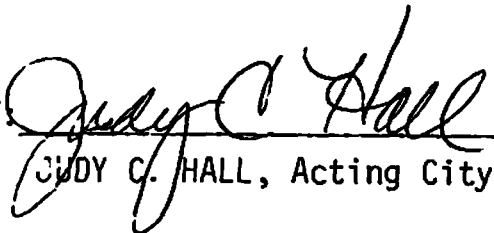
By motion (Patterson/Bright, maj., Sutton-no) \$4,000 is to be granted to Radio Bilineque.

By motion (Sutton/Patterson, unan.) \$1,500 is to be granted Grupo Folklorico Casa.

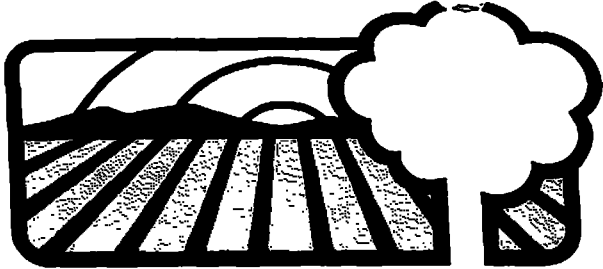
Capital Improvement Program - Utility Services

The meeting adjourned at 5:10 p.m.

ATTEST



JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 22, 1984, 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:

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, 15, 19, 20, 21, 22

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

None

MINUTES

CONSENT

2. Approval of the minutes of the minutes of the adjourned regular meetings of May 10, 11, 14, and 16, 1984, and the May 15, 1984, regular City Council meeting.
(Motion adopting needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2256-C.S. rezoning from R-1 to P-D(355), property located between Standiford Avenue and West Rumble Road. (Nylen Development, Inc.)
- b. Ord. No. 2257-C.S. rezoning from R-1 to P-D(352), property located on the east side of Oakdale Road, south of Floyd Avenue. (Florsheim Properties)
- c. Ord. No. 2258-C.S. rezoning from R-1 to R-2, property located on the east side of Oakdale Road, south of Floyd Avenue. (Florsheim Properties)

(Motion adopting needed.)

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

HEARINGS

4. Hearing to consider reducing Dial-A-Ride Fares.

ACTION: Res. 84-305 adopted (Muratore/Whiteside unan.) reducing Dial-A-Ride fares.

5. Hearing to consider modification of the bus bench franchise.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2259-C.S. introduced.

6. Hearing to consider College West General Plan amendment and Environmental Impact Report. (Continued from the April 24, 1984, meeting.)
(At its meeting on May 15, 1984, the City Council indicated its intention to terminate these proceedings.)

ACTION: Res. 84-306 adopted (Lang/Muratore, unan.) terminating proceedings.

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids to recycle-in-place various City streets, 1983-84.
(Suggested bid opening: June 19, 1984 at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$22,360 (contract \$19,500; engineering \$2,860); funds are budgeted.)

ACTION: Res. 84-307 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the resurfacing of Tully Road from Briggsmore Avenue to Palmilla Drive - Part I.
(Suggested bid opening: June 19, 1984, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$125,415 (contract \$116,665; engineering \$8,750); funds are budgeted.)

ACTION: Res. 84-308 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for Ustick-Tudor-Waldo-Ironside waterline extension.
(Suggested bid opening: June 12, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,343 (contract \$22,130; engineering \$2,213); funds are budgeted.)

ACTION: Res. 84-309 adopted calling for bids. (Eng to handle)

CONSENT

10. Consider approving specifications and authorizing the call for bids for the City's annual requirements of ready-mixed concrete products to be opened on June 12, 1984, at 3:00 p.m.
(The ready-mixed concrete products will be used by various City departments for new construction and repair projects. These products will be purchased intermittently throughout the 1984-85 fiscal year. Resolution approving specifications and authorizing call for bids needed.) Estimated cost: \$15,000; funds to be budgeted.)

ACTION: Res. 84-310 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened June 19, 1984, at 3:00 p.m. for furnishing one equipment trailer. (Requested by the Fire Department, the trailer will be used to transport equipment to the scene of emergencies. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 84-311 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider award of contract for the Tudor-Waldo-Ironside subtrunk sewer extension.
(Bids were opened on May 15, 1984. The low bid of \$28,900, submitted by Clyde Wheeler Pipeline is 32% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to him. Memo and bid tabulation with agenda. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

ACTION: Res. 84-312 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider award of contract for exterior painting of the McHenry Museum. (Bids were opened on May 15, 1984. The low bid of \$11,400, submitted by E. J. Hackett, is 11% above the engineer's estimate, and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to him. Memo and bid tabulation with agenda. Resolution awarding contract to E. J. Hackett needed. Funds are budgeted.)

ACTION: Res. 84-313 adopted awarding contract. (Eng to handle)

CONSENT

14. 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 needed. Estimated cost: \$12,800; funds are budgeted.)

ACTION: Res. 84-314 adopted authorizing purchase. (Finance to handle)

CONSENT

15. 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, 1984 to June 30, 1985. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$7,840; funds are budgeted.)

ACTION: Res. 84-315 adopted approving agreement. (Finance to handle)

WRITTEN COMMUNICATIONS

16. Request by Steven Lawry to change the hearing concerning his proposed taxi company from June 26 to June 19, 1984, at 4:00 p.m.

Mr. Lawry withdrew his request to change the hearing date.

17. Letter from Bonnie Moffitt concerning a change in the Bingo ordinance.

No action taken.

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

Mr. George Pettygrove requested Council support of HR-953 and S-555. Request referred to staff for study and recommendation (Mgmt. Services)

NEW BUSINESS

CONSENT

19. Consider approval of a preapplication for federal grant for the Modesto City-County Airport/Harry Sham Field.
(Federal grant funds are available for reconstructing approximately four acres of pavement and taxiways and providing drainage to a T-hangar area. This area has an oil dirt surface with poor drainage that ponds and floods adjacent T-hangars during the rainy seasons. Resolution approving preapplication needed. Estimated cost: \$150,000; funds are budgeted.)

ACTION: Res. 84-316 adopted approving preapplication. (Utility Services)

CONSENT

20. Consider approving a hold harmless agreement with the County of Stanislaus for the use two prisoner transportation vans.
(Memo with agenda. Resolution approving hold harmless agreement needed.)

ACTION: Res. 84-317 adopted approving hold harmless agreement.
(Police to handle)

CONSENT

21. Consider approval of agreement with Fairtron Corporation for installation of scoreboard at John Thurman Field.
(This agreement would allow Fairtron Corporation to install a scoreboard at John Thurman Field. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-318 adopted approving agreement. (P/R to handle)

MISCELLANEOUS

CONSENT

22. Legislation: Staff recommends:

Opposing

- a) SB 1509 (Bill Greene) - Workers' Compensation. Public Agency Self Insurance.
- b) SB 1750 (Robbins) - Transient Occupancy Tax on Recreational Vehicle Users.

Supporting

- c) SB 1419 (Russell) - Governing Boards of Joint Powers Authorities (JPA)
- d) SB 2216 (Keene) - Brown Act Exemption in Real Property Negotiations
(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff recommendations accepted.

23. Appointments

None

24.

MATTERS TOO LATE FOR THE AGENDA

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

None

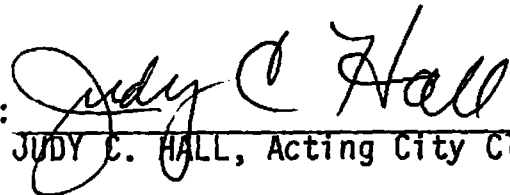
CLOSED SESSION

(Closed session to discuss an employee relations matter.)

ADJOURNMENT

The meeting adjourned at 9:33 p.m. to 3:00 p.m. on Wednesday, May 23, 1984, in the Council Chambers to study the 1984-85 budget, then to Friday, June 1, at 2:00 p.m. for a joint meeting with the Planning Commission and the Culture Commission for a presentation of the new site plan for the Community Center.

ATTEST:


JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
May 23, 1984

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, Muratore, Patterson, Sutton, Whiteside,
Mayor Mensinger

Councilmember Muratore arrived at 3:10 p.m.

Absent: Councilmember Lang

The following Capital Improvement Budgets were reviewed:

Fire Department
Fire Equipment and Facilities

Engineering
Storm Drains
Streets
Street Lights
Downtown Area Improvements
Other - Aerial mapping update

Parking and Traffic
Traffic Signals and Other Controls
Parking Facility Development
Bus Service Facilities and Equipment

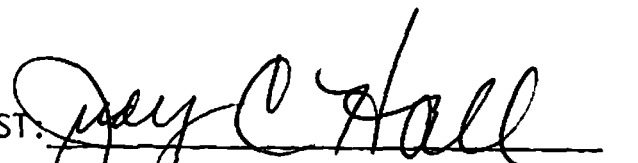
Management Services
Offset printer
City Hall and Annex furnishings
Telecommunications system

Police
New Police Building
Other

Data Processing expenditures

The meeting adjourned at 4:55 p.m. to Friday, June 1, at 2:00 p.m.

ATTEST:


BUDY C. HALL, Acting City Clerk

MINUTES OF THE June 1, 1984, ADJOURNED JOINT MEETING OF THE
MODESTO CITY COUNCIL
MODESTO PLANNING COMMISSION
MODESTO CULTURE COMMISSION

City Council Members

Present: Councilmembers Muratore, Sutton, Whiteside

Absent: Councilmembers Bright, Lang, Patterson, Mayor Mensinger

Planning Commission Members

Present: Members Irizarry, Fleming, Shaffer, Sturgis

Absent: Members Davis, Simi, Hart

Culture Commission Members

Present: Members R. Smith, B. B. Smith, Lozano, Kehoe

Absent: Members Savage, Elke

Planning Commission Chairperson Irizarry opened the meeting at 2:10 p.m. and asked all present to introduce themselves.

Doug Barker and Ron Jerit, through the use of slides and drawings, described the process in arriving at the master plan and the characteristics and uses of each component of the community center, and answered questions by members of the audience.

The City Council meeting adjourned at 3:35 p.m. to 5:30 p.m. today, at the Sundial Restaurant for a meeting with the architects.

The Planning Commission meeting adjourned at 3:35 p.m.

The Culture Commission meeting adjourned at 3:35 p.m. to 3:00 p.m. on June 4, 1984, at the Chamber of Commerce Office in the City Mall Building, 11th and J Streets in Modesto.



Norrine Coyle
City Clerk

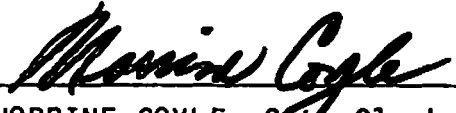
Adjourned Regular Meeting
Modesto City Council
June 1, 1984

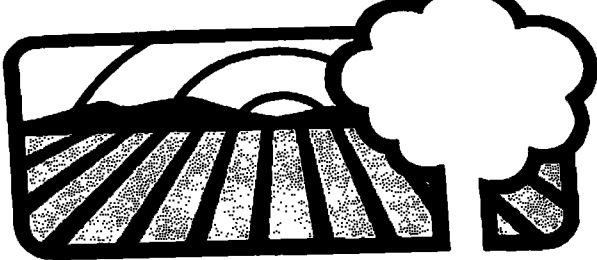
The Council of the City of Modesto met pursuant to adjournment at 5:30 p.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California, for a meeting with the community center architects.

Present: Councilmembers Muratore, Sutton, Whiteside

Absent: Councilmembers Bright, Lang, Patterson, Mayor Mensinger

The meeting adjourned due to a lack of a quorum. The three Councilmembers present had an informal discussion with the architects.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 5, 1984, 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: Rev. Joel Richards, La Loma Grace Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED:	Items 2, 4, 12, 13, 14, 15, 16, 17,
Dropped from Consent: 24, 26, & 33	18, 19, 20, 22, 23, 25, 27,
<u>ACTION:</u> (Lang/Whiteside, unan.,	28, 29, 30, 31, 32, 34, 35, 36,
Mayor Mensinger absent)	37, 38, 39, 40, 40A, 41

(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

MINUTES

CONSENT

2. Approval of the minutes of the regular meeting of May 22, 1984, and the adjourned regular meetings of May 21 and 23, 1984.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of request of Modesto City Schools to vacate and abandon California Avenue between Jefferson and "H" Streets and the 20-foot public alley in Block 400.

(At the close of the hearing concerning this matter, the City Council indicated its intention to approve the abandonment after appropriate action by the Modesto Board of Education. Letter concerning Board's action with agenda. Resolution vacating and abandoning portion of California Avenue and alley needed.)

(Councilmember Lang will be excused due to a conflict of interest.)

Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 84-319 adopted (Sutton/Whiteside, unan., Lang & Mayor Mensinger absent) abandoning portion of California Avenue and alley). (Clerk/Planning to handle)

CONSENT

4. Final adoption of Ordinance No. 2259-C.S. consenting to the transfer of the bus bench franchise from Frank Imburg, dba Transadtise Company, to Frank and Sharon Imburg, dba Transadtise Company.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2259-C.S. adopted. (Clerk to handle)

5. Consider accepting Council Solid Waste Committee report pertaining to curbside recycling which was directed to Committee on January 3, 1984. (Sally Magnani and Lynn Darpinian submitted recommendations on curbside recycling for discussion at the January 3, 1984, Council meeting. Council referred this matter to the Council Solid Waste Committee for their investigation and recommendation. Motion approving recommendation of Committee needed.)

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) recommendations approved. (Utility Serv. to handle)

HEARINGS

Item 9 taken out of order and heard at this time.

6. Hearing to consider purchasing two transit-type buses for replacements for the City's Intracity Transit System.

ACTION: Res. 84-320 adopted (Sutton/Muratore, unan., Mayor Mensinger absent) authorizing purchase. (P/T to handle)

7. Appeal of Russell Harrison to Board of Zoning Adjustment decision denying request for a variance from the side street side yard setback, rear yard setback and lot coverage limitations for house and garage additions, property located at 502 Myrtle Avenue.

ACTION: Res. 84-321 adopted (Bright/Lang, unan., Mayor Mensinger absent) denying appeal without prejudice and upholding decision of the Board of Zoning Adjustment.

8. Appeal of Resource Development to Planning Commission decision denying an application to rezone from R-1 to P-D, property located on the north side of Standiford Avenue and on the west side of Carver Road, for a car wash facility.

ACTION: By motion (Sutton/Whiteside, unan., Mayor Mensinger absent) indicated intent to approve rezoning. (Planning to handle)

Taken out of order at request of Mr. Price.

9. Hearing to consider an amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-D(354) to allow a 363-unit condominium, property located on the south side off Coralwood, east of McHenry Avenue. (Price Development)

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) Ord. No. 2260-C.S. introduced. & Clerk
Res. 84-322 adopted (same vote) approving development plan. (Planning/to handle)
Res. 84-323 adopted (same vote) certifying review of Environmental Assessment.

10. Hearing to consider the proposed 1984-85 Budget and Four-Year Capital Improvement Program, 1984-85 through 1987-88.

No action taken.

11. Hearing to consider amendments to the Conflict of Interest Codes of the City Manager's Office, to add the Assistant to the City Manager position and disclosure categories, and of the Planning and Community Development Department, to delete the Senior Planner and add the Principal Planner position.

ACTION: Res. 84-324 adopted (Bright/Lang, unan., Mayor Mensinger absent) amending Conflict of Interest Code of the City Manager's Office.
Res. 84-325 adopted (same vote) amending Conflict of Interest Code for Planning.
BIDS (Clerk to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids to overlay various City streets, 1984-85.
(Suggested bid opening: June 26, 1984, at 11:00 a.m. This is the City's ongoing miscellaneous resurfacing program. If the program continues as scheduled, within three more years, we should be up to date, with every street being evaluated for maintenance each five years. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$304,610 (contract \$290,108.50; engineering \$14,501.50). Funds are budgeted.)

ACTION: Res. 84-326 adopted calling for bids. (Clerk to handle)

CONSENT

13. Consider approval of plans and specifications for the construction of the caterer's kitchen at the McHenry Mansion.
(Suggested bid opening: June 26, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$16,100 (contract \$14,000; engineering \$2,100). Funds are budgeted.)

ACTION: Res. 84-327 adopted calling for bids. (Clerk to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for Project No. 14, replacement of curb, drive aprons, and sidewalks at various locations.
(Suggested bid opening: June 19, 1984, at 11:10 a.m. This project is required to restore proper drainage to curbs damaged by street tree roots. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$33,600 (construction \$30,300; engineering \$3,300). Funds are budgeted.)

ACTION: Res. 84-328 adopted calling for bids. (Clerk to handle)

CONSENT

15. Consider approval of specifications and call for bids for replacement of downtown curbs, Project No. 2.
(Suggested bid opening: June 19, 1984, at 11:15 a.m. This project is required to replace deteriorated and broken curbs which do not accommodate the proper flow of storm water. This is the second of three projects planned and will be centered in the general commercial area as depicted in the General Plan. Resolution approving specifications and call for bids needed. Estimated cost: \$33,000 (construction \$30,000; engineering \$3,000). Funds are budgeted.)

ACTION: Res. 84-329 adopted calling for bids. (Clerk to handle)

CONSENT

16. Consider award of contract for the construction of wastewater treatment and disposal facilities, Unit No. 1 (Project No. C-06-1063-210-01).
(The low bid of \$7,017,000 was submitted by Dyn Construction Corporation. The staff has reviewed the low bid and has requested and received approval from the State Water Resources Control Board to award the contract. It is recommended by staff that the project be awarded to Dyn Construction Corporation. Memo with agenda. Resolution awarding the contract needed. Estimated cost: \$7,844,000 (construction \$7,017,000; contract administration \$476,000; contingencies \$351,000). Funds included in 1984-85 budget.)

ACTION: Res. 84-330 adopted awarding contract. (Eng. to handle)

CONSENT

17. Consider award of contract for the polyurathane lining of Emerald and Woodland lift stations and pipeline at water quality control plant.
Bids were opened on May 22, 1984. The low bid of \$75,000, submitted by Sancon Engineering, is 12% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tab with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 84-331 adopted awarding contract. (Eng. to handle)

CONSENT

18. Consider award of contract for the construction of sitework at Dryden maintenance facility.
Bids were opened on May 22, 1984. The low bid of \$35,437, submitted by George Reed, Inc., is 17% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tab with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 84-332 adopted awarding contract. (Eng. to handle)

CONSENT

19. Consider acceptance of Joe Martin's contract for the replacement of the 24" force main east of Scenic Drive lift station. Original contract: \$30,000.
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$32,360. Funds are budgeted.)

ACTION: Res. 84-333 adopted accepting work as complete. (Eng. to handle)

CONSENT

- 20. Consider waiving formal bid procedures and authorize the purchase of traffic line paint through the State of California Department of General Services Cooperative Purchasing Program for the total amount of \$16,909. (Memo with agenda. Resolution waiving formal bid procedures and authorizing the purchase of traffic line paint through the State of California needed. (Five affirmative votes needed) Funds are budgeted.)

ACTION: Res. 84-334 adopted waiving formal bid procedures. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

- 22. Consider paying for crossing guards near Franklin K-1 school. (Memo with agenda. The request by Modesto City Schools is for three crossing guards. Payment for one, retroactive to January 1, 1984, is recommended. Motion directing staff to prepare an agreement covering one crossing guard at Franklin-Locust is needed. Estimated cost: \$512.86. Funds are budgeted.)

ACTION: By motion, staff directed to prepare an agreement. (P/T to handle)

CONSENT

- 23. Consider increasing fees paid to utility pay stations from 13 cents to 15 cents per transaction. (Memo with agenda. Seven resolutions approving revised agreements with seven pay stations needed. Estimated cost: \$1,100 increase per year. Funds are budgeted.)

ACTION: Res. 84-335 adopted approving amended agreement with Save Mart.
 Res. 84-336 adopted approving amended agreement with Paradise Rexall.
 Res. 84-337 adopted approving amended agreement with Paul's Rexall - Santa Cruz Ave.
 Res. 84-338 adopted approving amended agreement with Paul's Rexall- Orangeburg Ave.
 Res. 84-339 adopted approving amended agreement with Scenic Drug.
 Res. 84-340 adopted approving amended agreement with Bonnie's Arts and Crafts
 Res. 84-341 adopted approving amended agreement with Model Pharmacy.

- 24. Amend the Position Classification Plan and Salary Resolution as follows:
 Add the following four classes:
 Benefits Technician, Legal Services Supervisor, Legal Services Technician, Secondary Treatment Site Supervisor
 Delete the following four classes:
 Risk Management Technician, Secretary to City Attorney, Senior Legal Secretary, Water System Inspector
 Revise the following eight classes:
 Industrial Waste Inspector I and II, Executive Secretary, Legal Secretary, Meter Reader/Repair Worker, Personnel Manager, Plant Mechanic, Plant Mechanical Maintenance Supervisor, Stenographer Clerk
 Revise three classifications and salary levels:
 Code Enforcement Specialist, Fire Prevention Technician, Secretary

(Memo with agenda. Resolution amending Position Classification Plan and resolution amending Alphabetical Listing of Classifications in the salary resolution needed.)

ACTION: Res. 84-342 adopted (Muratore/Whiteside, unan., Mayor Mensinger absent) amending Position Classification Plan.
Res. 84-343 adopted (same vote) amending salary schedule. (Mgmt. Serv. to handle)

CONSENT

25. Consider approving lease agreement with C. J. Rumble and Sons, Inc., for the lease of Chrysler 99 #2 Park site.
(This is a one year renewal of an existing lease. The Rumbles will maintain the property and pay taxes. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-344 adopted approving agreement. (Utility Serv. to handle)

CONSENT

26. Consider approving lease agreement with Mark Richards, Rule Enterprises, Inc., Jim Van Heukelen, and Racor Industries, Inc., a General Partnership dba Skytrek Aviation. Skytrek leases office building #1, Hangar #5, and tie-downs 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 County. Resolution approving agreement needed.)

Dropped from agenda.

CONSENT

27. Consider setting hearing for amendment to Housing Element of Modesto Urban Area General Plan.
(Planning Commission Res. 84-80 recommends to City Council an amendment to the Housing Element. State law recommends that the Housing Element be updated every five years. This is the updated Housing Element for 1984-89. Resolution setting public hearing for June 26, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-345 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to Council vacation and abandonment of walkway between Sheffield Lane and Somerset Senior Elementary School.
(On May 7, 1984, the Planning Commission adopted Resolution 84-87 recommending to the City Council vacation and abandonment of the six-foot walkway between Sheffield Lane and Somerset Senior Elementary School. Resolution setting hearing June 26, 1984, 7:30 p.m. needed.)

ACTION: Res. 84-346 adopted setting hearing. (Clerk to handle)

CONSENT

29. Consider transfer of funds to the Greater Modesto Relocatable Administration Agency.
(Memo with agenda. Resolution approving agreement transferring funds.)

ACTION: Res. 84-347 adopted approving agreement. (Finance to handle)

CONSENT

30. Consider approval of the final map of Orangeburg Plaza No. 2 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: Orangeburg Plaza Group.)
(The subdivision agreement has been signed and all fees paid. Orangeburg Plaza No. 2 is located south of East Orangeburg Avenue between Jarrell Court and Claus Road. It contains 3.02 acres. Resolution approving final map needed.)

ACTION: Res. 84-348 adopted approving final map. (Eng. to handle)

CONSENT

31. Consider approval of the final map of Oakhaven Condominiums 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: Bomberger Brothers, Inc., Employees Defined Benefit Pension Plan and Trust.)
(The subdivision agreement has been signed and all fees paid. Oakhaven Condominiums is located on the south side of Floyd Avenue west of Oakdale Road. It contains 5.317 acres. Resolution approving final map needed.)

ACTION: Res. 84-349 adopted approving final map. (Eng. to handle)

CONSENT

32. Consider acceptance of improvements in Kansas Business Park subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: H.M.C Development Co.)
(Kansas Business Park is located at the northwestern corner of Kansas Avenue and Lone Palm Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-350 adopted accepting improvements. (Eng. to handle)

33. Consider approving increase in charges for metered and unmetered water service.
(It is recommended that a two-phased increase in the water rates be implemented. An increase of 3% is recommended by July 1, 1984, and a 7% increase is recommended January 1, 1985. Memo with agenda. Resolution approving proposed water rate increase needed.)

ACTION: Res. 84-351 adopted (Lang/Muratore, unan., Mayor Mensinger absent) approving proposed water rate increase. (Finance to handle)

CONSENT

34. Set public hearing to consider adjustment in garbage service charges. (Garbage company operations are reviewed annually. Due to increase in landfill tipping fees, adjustments in services charges are needed. These adjustments have been reviewed by the Council Solid Waste Committee. Resolution setting informal public hearing for June 19, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-352 adopted setting hearing.

(Clerk to handle)

CONSENT

35. Consider approving lease agreement with Anthony D. and Susan B. Verhaart for the lease of a three bedroom house located at 2845 Lincoln Avenue. (This is a three year lease of a house purchased for Dry Creek Park. First year rent is \$500 per month. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-353 adopted approving agreement.

(Utility Serv. to handle)

CONSENT

36. Consider approving a lease agreement with Berberian Trust Properties for the lease of a portion of the former McClure property (Dry Creek Park) (This is a one-year renewal of existing lease. An analysis indicates the rental should remain the same at \$1,600 per year. The only major difference is that the lessee is now the partnership named above instead of Haig Berberian as an individual, and that the Berberians are using two sublessees to actually farm the property. Resolution approving agreement needed.)

ACTION: Res. 84-354 adopted approving agreement.

(Utility Serv. to handle)

CONSENT

37. Consider approving two lease agreements with Berberian Trust Properties for the lease of Yosemite Neighborhood School and Park site. (These are one-year renewals of an existing lease. Rent is increased from \$1,500 to \$1,600 per year. Rent is increased because of the split of the lease and rounding of the individual dollar amounts. Also, the lease allows subletting to the Vella Brothers, who do the actual farming. Two leases are being written so the school site can be conveyed to the newly established Relocatable Agency as approved by the Council. two resolutions approving agreements needed.)

ACTION: Res. 84-355 adopted approving agreement for school site.

Res. 84-356 adopted approving agreement for park site. (Utility Serv. to handle)

CONSENT

38. Consider amending Modesto Municipal Code Section 5-6.04 pertaining to sewer bond redemption charges. (A change in the Municipal Code is needed to address the problem of sewer bond redemption charges on rezoned parcels. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2261-C.S. introduced.

(Clerk to handle)

CONSENT

39. Consider amendment to accessway agreement pertaining to Hollandia Corners subdivision, located at the southwest corner of Prescott Road and Snyder Avenue. All vehicular access to this ten-lot subdivision is via an accessway at the rear of the lots.

(The developer, Phillip D. Overholtzer, proposes to revise the accessway pertaining to five lots to allow proposed development plans. Memo with agenda. Resolution approving an amendment to accessway agreement needed.)

ACTION: Res. 84-357 adopted approving amendment to agreement. (Planning to handle)

CONSENT

40. Consider amendments to the Standard Specifications of the City of Modesto. (On May 7, 1984, the Planning Commission adopted Resolution No. 84-97 recommending to the City Council amendments to the Standard Specifications of the City of Modesto. Resolution amending the Standard Specification needed.)

ACTION: Res. 84-358 adopted amending the Standard Specifications. (Planning to handle)

CONSENT

40A. Consider approval of the final map of Lakewood Condominiums 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)

(The subdivision agreement has been signed and all fees paid. Lakewood Condominiums is located at on the east side of Lakewood Avenue between Laramie Drive and Orangeburg Avenue. It contains 3.846 acres. Resolution approving final map needed.)

ACTION: Res. 84-359 adopted approving final map. (Eng. to handle)

MISCELLANEOUS

CONSENT

41. Legislation: Staff recommends

Strongly opposing

a) AB 3683 (Floyd) - Public Contracts

Opposing

b) SB 1660 (Montoya) - Vested Rights

Supporting

c) H.R. 953 - Law Enforcement Officers Protection Act of 1983

d) S. 555 - Law Enforcement Officers Protection Act of 1983

e) H.R. 5310 (Hughes) - Mandatory Retirement Age for Police and Firefighters

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

ACTION: By motion, recommendations approved.

42. Appointments

ACTION: Res. 84-360 adopted (Muratore/Whiteside, unan., Mayor Mensinger absent) appointing Michael Garcia to the Rehabilitation Loan Pool Subcommittee, term to expire 6/30/87

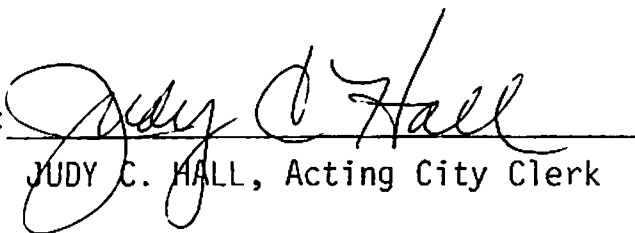
43.

MATTERS TOO LATE FOR THE AGENDA

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

- ACTION: a. By motion (Muratore/Lang, unan., Mayor Mensinger absent) staff requested to study and report on disks that receive communications from satellites.
(Planning to handle)
- b. Res. 84-361 adopted (Lang/Whiteside, unan., Mayor Mensinger absent) supporting the appropriation by Congress of \$14,000,000 to construct a railroad grade crossing separation and to relocate railroad tracks from 9th Street in Modesto
(City Manager to handle)

The meeting adjourned at 6:28 p.m. to closed session to discuss an employee relations matter, then to Thursday, June 7, 1984, 3:00 p.m., in the Council Chambers to study the 1984-85 budget.

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, Modesto, California.

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

Vice Mayor Patterson arrived at 3:15 p.m.
Councilmember Lang left at 5:00 p.m.

Absent: Mayor Mensinger

In the absence of the Mayor and Vice Mayor, the City Clerk called the meeting to order.

After roll call, by motion (Whiteside/Sutton, unan., Patterson and Mayor Mensinger absent) Councilmember Lang was selected Mayor Pro Tem to serve until Vice Mayor Patterson arrived.

By motion (Whiteside/Sutton, unan., Patterson and Mayor Mensinger absent) the allocation for the Modesto Girls Softball organization was amended to bring it into conformance with the newly adopted formula.

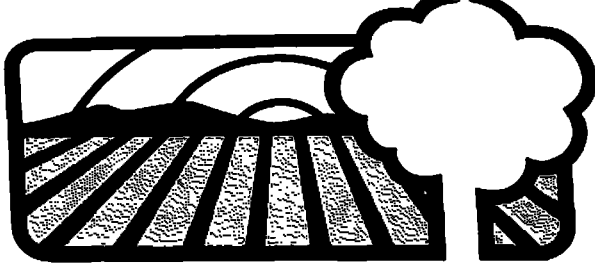
The Parking and Traffic Director was asked to make a recommendation concerning the type and cost of a signal at Sylvan and Dragoo Park.

It was agreed to defer the Sylvan/Coffee and Standiford/Tully traffic signal modification and apply the proposed funds toward the improvements of the signalization of the Standiford/Sisk/Dale area.

There was a general discussion of proposed financing for the conference center. It was agreed that the reserve for the conference center should be increased as much as feasible.

The meeting adjourned at 5:15 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 12, 1984, 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 2, 3, 5, 6, 7, 9, 11,
12, 13, 14, 15, 16, 18, 19, 20,
Dropped from agenda: 8 21, 22, 23, 24

Removed from consent: 10

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

Richard Parker of Cablecom General said his company will be broadcasting the 4th of July Parade live.

MINUTES

CONSENT

2. Approval of the minutes of the joint adjourned regular meeting of June 1, and the regular meeting of June 5, 1984.
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of the following:

- a. Ord. No. 2260-C.S. rezoning from R-1 to P-D(354) to allow a 363-unit condominium, property located on the south side of Coralwood, east of McHenry Avenue. (Price Development)
- b. Ord. No. 2261-C.S. relating to sewer bond redemption charges on rezoned parcels.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to prezone to P-D(353) for a neighborhood shopping center at the southwest corner of Standiford Avenue and Prescott Road. (Elwyn Young, c/o Pacific Design Associated) (Continued from the May 15, 1984, meeting.)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2262-C.S. introduced.
Res. 84-362 adopted (same vote) approving plan.

Res. 84-363 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for Lakewood Park improvement.
(Suggested bid opening: July 3, 1984, at 11:00 a.m. This work will consist of earthwork, curbs, sidewalk and wheelchair ramps, storm drainage system, water, sewer and electrical facilities, and the installation of the sand for the play area. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$95,405. (contract \$90,862; engineering \$4,543) Funds are budgeted.)

ACTION: Res. 84-364 adopted calling for bids.

(Eng to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the Mancini Park grading and irrigation.
(Suggested bid opening: July 3, 1984, at 11:10 a.m. Automatic irrigation system is for establishing lawn to prevent erosion of the slope fronting the residences along Herndon Road. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$38,988.40. (construction \$33,902.96; engineering \$5,085.44) Funds are budgeted.)

ACTION: Res. 84-365 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the resurfacing of 7th Street from G Street to 7th Street bridge.
(Suggested bid opening: July 3, 1984, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$86,070. (contract \$78,247; engineering \$7,823) A transfer will be requested after bids have been received. Sufficient funds will be available from other accounts at that time.)

ACTION: Res. 84-366 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider award of contract for tree topping in Airport clear zone.
(Bids were opened on June 5, 1984. The low bid of \$4,995, submitted by Weaver's Tree Service is 16% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Bid tabulation and memo with agenda. Resolution awarding contract to Weaver's Tree Service needed. Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

9. Consider award of contract for site improvements at Fire Station No. 5.
(Bids were opened on June 5, 1984. The low bid of \$11,945, submitted by George Reed, Inc., is 3% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Bid tabulation and memo with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-367 adopted awarding contract. (Eng to handle)

10. Consider acceptance of Flintkote's contract for the residential alley paving program, Project No. 10. (Original contract: \$84,788)
(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: \$92,580.65. Funds are budgeted.)
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 84-368 adopted (Lang/Bright, unan., Mayor Mensinger absent) accepting work as complete. (Clerk to handle)

CONSENT

11. Consider accepting City Hall parking deck repairs as complete.
(Memo with agenda. The contract was awarded to Alpha Waterproofing and Restoration on March 20, 1984, at \$15,680. No change orders were issued. The contract was completed May 25, 1984. Specified completion date was May 15, 1984. Assessment of \$800 in liquidated damages is recommended. Resolution accepting project as complete needed. Funds are budgeted.)

ACTION: Res. 84-369 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider declaring Bonander Pontiac, Inc., low bidder and authorize the purchase of two bus engine from that firm for a total price of \$26,112.
(Memo with agenda. Resolution declaring Bonander Pontiac, Inc. low bidder. Funds are budgeted)

ACTION: Res. 84-370 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider Crystal Pool Service low bidder for furnishing swimming pool chlorine and muratic acid.
(Memo with agenda. Resolution declaring Crystal Pool Service low bidder needed. Estimated cost: \$5,940. Funds are budgeted.)

ACTION: Res. 84-371 adopted awarding contract. (Finance to handle)

CONSENT

14. Consider declaring three low bidders on rock, sand and gravel products and authorizing the purchase of these products for the 1984-85 fiscal year at the respective prices bid.
(Memo and bid tabulation with agenda. Three resolutions needed, declaring Glen Wilson Trucking low bidder on Item 1 on bid tab; Central Ready Mix low bidder on items 2, 3, 4, 5, 6, and 7; and M. J. Ruddy & Sons low bidder on item 8; and authorizing the purchase during the 1984-85 fiscal year. Estimated cost: \$23,000. Funds are budgeted.)

ACTION: Res. 84-372 adopted awarding contract to Glen Wilson Trucking for Item 1.
Res. 84-373 adopted awarding contract to Central Ready Mix for Items 2, 3, 4, 5, 6, and 7.
Res. 84-374 adopted awarding contract to M.J. Ruddy & Sons for Item 8. (Finance to handle)

CONSENT

15. Consider declaring Shore Chemical Company low bidder and authorize the purchase of 16 tons of turf fertilizer from the firm for the total price of \$7,040.
(Memo with agenda. Resolution approving purchase needed. Funds are budgeted.)

ACTION: Res. 84-375 adopted approving purchase. (Finance to handle)

CONSENT

16. Consider waiving formal bid procedures and authorize the purchase of one light utility pickup truck through the State of California Department of General Services Cooperative Purchasing Program for the total amount of \$5,600.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-376 adopted waiving formal bid procedures. (Finance to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

17. (These may be presented by interested persons in the audience)
None

NEW BUSINESS

CONSENT

18. Consider approval of the final map of Standiford 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: Luckey Development)
(The subdivision agreement has been signed and all fees paid. Standiford Square is located at the northeast corner of Prescott Road and Standiford Avenue. It contained 9.614 acres. Resolution approving final map needed.)

ACTION: Res. 84-377 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider accepting Caltrans grant agreement for the Downtown Transportation Center.
(Memo with agenda. The grant will provide about \$156,000, or 23%, of the non-federal share of the final cost. Resolution accepting grant and authorizing City Manager to sign grant agreement needed.)

ACTION: Res. 84-378 adopted accepting grant agreement. (P/T to handle)

CONSENT

20. Consider agreement with Caltrans to install suspended flashing red beacon at Kansas Avenue and northbound U. S. Highway 99 ramps.
(Memo with agenda. The beacon will supplement all-way stop signs. Resolution approving agreement needed. Estimated cost: \$1,610. Funds are budgeted.)

ACTION: Res. 84-379 adopted approving agreement. (P/T to handle)

CONSENT

21. Consider adoption of resolutions authorizing the purchase of a Computer Aided Design and Drafting System for the Department of Engineering Services and amending the budget.
(Memo with agenda. Two resolutions needed. Estimated cost: \$55,076.)

ACTION: Res. 84-380 adopted authorizing purchase.
Res. 84-381 adopted amending the budget. (Finance to handle)

CONSENT

22. Consider agreement between Stanislaus County and City of Modesto regarding staffing the Central Communications Center.
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-382 adopted approving amendment to agreement.
(Mgmt Services to handle)

CONSENT

23. Consider approval of letter agreement with Wilbur Smith and Associates for traffic consulting services in conjunction with preparation of an Environmental Impact Report on extension of the Yosemite trunk sewer. (The proposed study will provide information relating to the traffic impact of development resulting from extension of the Yosemite Trunk sewer. Memo with agenda. Resolution approving agreement with Wilbur Smith and Associates for traffic consulting services. Estimated cost: \$3,000 maximum. Funds are budgeted.)

ACTION: Res. 84-383 adopted approving agreement. (Planning to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Supporting

- a. AB 3119 (Tanner) - Hazardous Waste Management Plans
- b. AB 3274 (Campbell) - Transportation of Hazardous Materials
- c. AB 3270 (N. Waters) - Liability Limitation for Participation in Underground Service Alert.
- d. AB 4040 (Young) - Retention of Campaign Records
- e. SB 850 (Robbins) - Uninsured Motorists

Opposing

f. SB 2337 (Foran) - New Procedure for Reimbursement of Mandated Costs

(Memo and attachments with agenda. Motion approving staff recommended 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

27. CLOSED SESSION

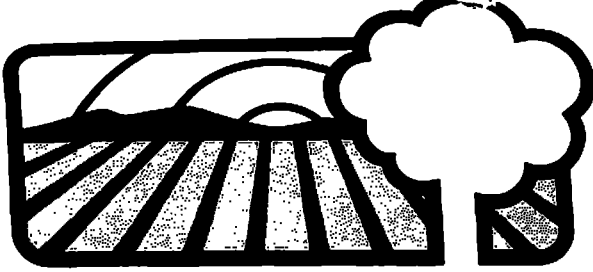
(Closed session to discuss an employee relations matter)

ADJOURNMENT

The meeting adjourned at 8:05 p.m. to closed session and then to Friday, June 15, 1984, at 8:30 a.m. at the Stanislaus Foundation for Medical Care building, 2339 St. Paul's Way, Modesto, to discuss City goals and objectives.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

*for and
indication*



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 19, 1984, 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 Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 9, 10, 11, 12, 13,
14, 15, 16, 17, 19, 20, 22, 23,
26, 27, 28
Dropped from agenda: 24
Dropped from consent: 21, 25
ACTION: (Bright, 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
None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of June 7, 1984 and the regular City Council meeting of June 12, 1984.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2262-C.S. rezoning to P-D(353) for a neighborhood shopping center at the southwest corner of Standiford Avenue and Prescott Road (Elwin Young).
(Motion adopting needed.)

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

CONSENT

4. Further consideration of installing traffic signals at Sylvan-Dragoo Park Intersection.
(Memo with agenda. Field checks and estimates have been completed. It is recommended that a \$55,000 signal be installed including provisions for upgrading in the future. The proposed 1984-85 CIP budget now includes the \$55,000. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

- 4A. Final approval of Resource Development rezoning from R-1 to P-D, Section 7-3-9 of the Zoning Map.
(On June 5, 1984, the application of Resource Development to rezone from R-1 to P-D to allow a car wash facility on the west side of Carver, north side of Standiford Avenue was considered by the City Council and a motion of intent to approve the rezoning was passed. Recommended conditions of approval have been prepared. Introduction of an ordinance rezoning the property needed, and resolution approving the plan needed, and resolution certifying review of environmental impact assessment needed.)
Mayor Mensinger excused because she has absent during the hearing.

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent) Ord. No. 2263-C.S. introduced.
Res. 84-384 adopted (same vote) approving plan.
Res. 84-385 adopted (same vote) certifying review of Environmental Impact Report. (Clerk/Planning to handle)

HEARINGS

5. Hearing to consider an amendment to P-D(133) to allow the west portion to be occupied entirely with C-1 zone uses rather than specified C-1 uses and the remainder P-0, property located on the north side of Standiford Avenue and west of Tully Road. (Lance Ellis/Gregory Development Co.)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2264-C.S. introduced.
Res. 84-386 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider the appeal of Sessions Development Co. to a Planning Commission decision denying an application for rezoning from P-D(257) to R-1 and R-3, property located on the south side of Standiford Avenue east of Shawnee Drive extended.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2265-C.S. introduced rezoning to R-1.
Res. 84-387 adopted (same vote) denying appeal.
(Clerk/Planning to handle)

7. Hearing to consider adjustment in garbage service charges.

ACTION: Res. 84-388 adopted (Lang/Whiteside, unan.) approving adjustment to garbage service charges.
(Finance to handle)

8. Hearing to consider rezoning from R-1 to R-3 and P-D(356) to allow a 116-unit 2-story apartment project, property located at the southeast corner of Briggsmore Avenue and Lakewood Avenue. (Horn Construction/Gibraltar Community Builders)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2266-C.S. introduced.
Res. 84-389 adopted (same vote) approving plan.
Res. 84-390 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for the construction of Oakdale Road from 292.5 feet north of Briggsmore Avenue to Floyd Avenue (FAUE Project M-F 219-(2).
(Suggested bid opening: July 17, 1984, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Funds are budgeted.)

ACTION: Res. 84-391 adopted calling for bids. (Clerk to handle)

CONSENT

10. Consider award of contract for the reconstruction of Elm Avenue from Arrowhead Court to Emerald Avenue.
(Bids were opened on June 12, 1984. The low bid of \$71,936, submitted by The Flintkote Company is 2% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to The Flintkote Company needed. Funds are budgeted.)

ACTION: Res. 84-392 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the reconstruction of Emerald Avenue between M.I.D. Lateral No. 4 and Laurel Avenue.
(Bids were opened on June 12, 1984. The low bid of \$16,313.88, submitted by Modesto Paving, Inc., is less than 1% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Modesto Paving, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-393 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider award of contract for the Ustick-Tudor-Waldo-Ironside waterline extension.
(Bids were opened on June 12, 1984. The low bid of \$26,697, submitted by Clyde Wheeler Pipeline, is 17% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to him. Memo and bid tabulation with agenda. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

ACTION: Res. 84-394 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider declaring Motorola Communications low bidder meeting City specifications and authorizing the purchase of 12 portable radios and six headsets from the company for the total price of \$14,962.
(Memorandum with agenda. Resolution authorizing purchase of radios and headsets needed. Funds are budgeted.)

ACTION: Res. 84-395 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider authorizing the purchase of annual dry-cell batteries from Wille Electric at the prices listed.
(Memorandum with agenda. Resolution authorizing purchase of annual dry-cell batteries needed. Estimated cost (City portion): \$3,000; funds are budgeted.)

ACTION: Res. 84-396 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider waiving any further bid attempts and accepting Modesto Blue Printers' offer to furnish blueprint services for the 1984-85 fiscal year for prices noted in the memorandum with agenda.
(Memorandum with agenda. Resolution authorizing the purchase of blueprint services from Modesto Blue Printers needed. Estimated cost: \$6,000; funds are budgeted.)

ACTION: Res. 84-397 adopted authorizing purchase. (Finance to handle)

CONSENT

16. Consider acceptance of Mac's Backhoe contract for the construction of Improvement District No. 24. (Original contract: \$499,581.25)
(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: \$496,663.05; funds are budgeted.)

ACTION: Res. 84-398 adopted accepting as complete. (Eng to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from E & J Gallo Winery concerning right of way abandonment and street closure in connection with the realignment of Highway 132, D Street to Las Flores Avenue, and abandonment of Morton Boulevard and Willow Street between Jennie Street and Grand Avenue.
(Motion referring to Planning Commission needed.)

ACTION: By motion, referred to Planning Commission.

18.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Bob Oliver voiced some of his concerns regarding the proposed community center.

NEW BUSINESS

CONSENT

19. Request by Brunn & Lacy for refund of overpayment of \$1,400 in business license tax and \$700 in Business Improvement Area Tax.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 84-399 adopted approving refund. (Finance to handle)

CONSENT

20. Consider ordinance to establish Fund No. 88, Deferred Compensation Fund, as a Trust and Agency Fund.
(This fund will account for contributions to the City employees' Deferred Compensation Plan. Memo with agenda. Introduction of ordinance establishing Fund No. 88, "Deferred Compensation Fund" needed, and resolution approving the transfer of cash restricted for deferred compensation from the General Fund to the Deferred Compensation Fund needed.)

ACTION: By motion, Ord. No. 2267-C.S. introduced establishing Fund.
Res. 84-400 adopted approving transfer of cash. (Finance to handle)

21. Consider adoption of the Fiscal Year 1984-85 Annual Budget (including the first year of the Four Year Capital Improvement Program).
(Memo with agenda. Adoption of ordinance needed.)
Mayor Mensinger excused during discussion of reserve fund for community center due to conflict of interest.

ACTION: By motion (Whiteside/Lang, maj., Patterson-no, Mayor Mensinger absent) approved transfer of funds for the community center to reserve.
By motion (Muratore/Lang, unan.) Ord. No. 2268-C.S. adopted, adopting the Fiscal Year 1984-85 Annual Budget.

CONSENT

22. Consider an agreement between the City of Modesto and Capital Cities Cable, Inc., to allow joint usage of the Underground Service Alert (USA) message receiving equipment currently used by the City.
(Capital Cities Cable, Inc. will pay the City \$30 per month to receive USA messages on the printer located at the Service Yard, 501 N. Jefferson. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-401 adopted approving agreement. (Utility Serv to handle)

CONSENT

23. Presentation of monthly financial statement for May, 1984.
(Copies of statement with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

24. Consider final approval of issuance of up to \$2.5 million of Multi-Family Mortgage Revenue Bonds (Oak Haven).
(Resource Development seeks final approval of a Multi-Family Mortgage Revenue Bond issue to finance Oak Haven, a 97-unit multi-family development to be located on Floyd Avenue west of Oakdale Road - P-D(342). Memo with agenda. Resolution authorizing the issuance, sale and delivery of City of Modesto Multi-Family Housing Revenue Bonds, 1984, Series B (Oakhaven Properties Project), and providing other matters properly relating thereto needed.)

Dropped from agenda.

25. Consider proposed issuance of up to \$3 million of Industrial Revenue Bonds (Woodstream project).
(S.S.L. No. 2, a corporation, has applied for industrial revenue bonds to finance Woodstream, an office and commercial center to be redeveloped from buildings located at Tenth and J Streets. Memo with agenda. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of office and commercial facilities needed.)

ACTION: Res. 84-402 adopted (Muratore/Sutton, maj., Patterson-no)
authorizing the issuance of bonds. (Planning to handle)

CONSENT

26. Consider authorizing TRIPS to provide dental and vision care benefits to the fulltime bus service employees.
(Memo with agenda. The contract the City has with TRIPS requires City Council approval prior to the award of any salary/benefit increases to TRIPS employees. The benefits will cost \$10,300/year but will not impact the City until 11/1/86 when a new bus service contract becomes effective. Resolution authorizing TRIPS to grant dental and vision care benefits to the fulltime bus service employees needed.)

ACTION: Res. 84-403 adopted authorizing benefits. (P/T to handle)

CONSENT

27. Consider renewal of the agreement with Griffin Industrial Claims for workers' compensation claims administration for July 1, 1984 through June 30, 1985.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$12,000; funds are budgeted.)

ACTION: Res. 84-404 adopted approving agreement. (Mgmt Serv to handle)

MISCELLANEOUS

CONSENT

28. Legislation: Staff recommends:

Supporting the Concept

a) Antitrust Protection for Cities

Supporting

b) SB 2132 (Presley) - Tax Deductions for Volunteers

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

ACTION: By motion, staff recommendations accepted.

29. Appointments

None

30.

MATTERS TOO LATE FOR THE AGENDA

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

Redevelopment Plan amendment: Mayor Mensinger excused due to a conflict of interest.

By motion (Bright/Lang, unan., Mayor Mensinger absent) Emergency Ord. No. 2269-C.S. adopted amending Sec. 2 of Ord. No. 2203-C.S. approving and adopting the Redevelopment Plan for the Modesto Redevelopment Project. By motion (same vote) Ord. No. 2270-C.S. introduced amending Sec. 2 of Ord. No. 2203-C.S.

31.

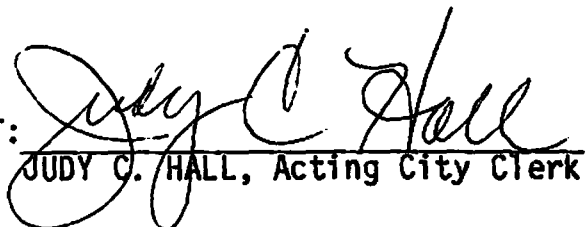
CLOSED SESSION

(Closed session to consider an employee relations matter.)

ADJOURNMENT

(This meeting adjourned at 6:08 p.m. to 7:00 p.m. on June 19, 1984, at the Sundial, 806 McHenry Avenue, Modesto, California for a meeting with the Planning Commission.)

ATTEST:


JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
June 19, 1984

The Council of the City of Modesto met pursuant to adjournment at 7:00 p.m. at the Sundial, 806 McHenry Avenue, Modesto, California.

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

Absent: None

The Councilmembers met with members of the Modesto City Planning Commission to discuss matters of mutual interest.

The meeting adjourned at 10:15 p.m.

ATTEST:


GARTH I. IPSKY, Acting City Clerk

Adjourned Regular Meeting
Modesto City Council
June 26, 1984


The Council of the City of Modesto met pursuant to adjournment at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California.

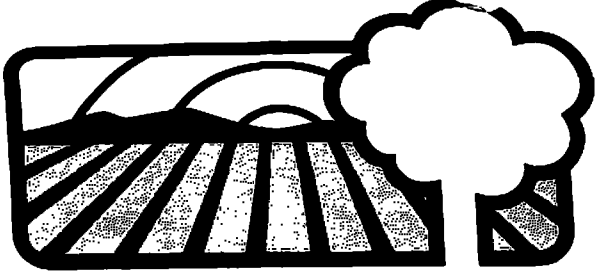
Present: Councilmembers: Bright, Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger

Absent: None

The City Council met in closed session to consider an employee relations matter.

The meeting adjourned at 4:45 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 26, 1984, 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: Doris Reis, New Jerusalem Ministries

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: 2, 3a, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31
Removed from Consent: 3b
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 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 June 19, 1984, regular City Council meeting and the adjourned regular City Council meeting of June 19, 1984.
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

6/26/84

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2267-C.S. establishing Fund No. 88, Deferred Compensation Fund as a Trust and Agency Fund.

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

- b. Ord. No. 2270-C.S. amending Section 2 of Ord. No. 2203-C.S. entitled "An Ordinance of the City of Modesto California, approving and adopting the Redevelopment Plan for the Modesto Redevelopment Project. (Mayor Mensinger excused due to a conflict of interest.)

ACTION: By motion (Whiteside/Muratore, unan., Mayor Mensinger absent) Ord. No. 2270-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider vacation and abandonment of walkway between Sheffield Lane and Somerset Senior Elementary School.

ACTION: Res. 84-405 adopted (Muratore/Whiteside, unan.) abandoning walkway. (Planning to handle)

5. Hearing to consider an amendment to the Modesto Municipal Code regarding adult entertainment establishments.

ACTION: By motion (Lang/Whiteside, unan.) it was agreed to not introduce the proposed ordinance and to terminate the proceedings.
Res. 84-406 adopted (same vote) certifying review of Environmental Assessment. (Clerk to handle)

6. Hearing to consider an application of Steven Eugene Lawry for Certificate of Public Convenience and Necessity to operate a taxi company.

ACTION: By motion (Sutton/Whiteside, unan.) hearing continued to July 10, 1984, 7:30 p.m. (Clerk to handle)

7. Hearing to consider amendment to Housing Element of Modesto Urban Area General Plan.
(Memo with agenda recommending continuation of hearing to July 10, 1984, City Council meeting.)

ACTION: By motion (Bright/Muratore, unan.) hearing continued to July 10, 1984, 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

8. Consider award of contract for tree topping in Airport clear zone. (Bids were opened on June 5, 1984. The low bid of \$4,995, submitted by Weaver's Tree Service, is 16% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering and Utility Services Departments that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Weaver's Tree Service needed. Funds are budgeted.)

ACTION: Res. 84-407 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider award of contract for the removal of the Dennet Dam at Tuolumne River. (Bids were opened on May 22, 1984. The low bid of \$27,040, submitted by Three Rivers Construction, is 15% below the engineer's estimate and considered acceptable. It is therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Three Rivers Construction needed. Funds are budgeted.)

ACTION: Res. 84-408 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for the replacement of downtown curbs - Project No. 2. (Bids were opened on June 19, 1984. The low bid of \$26,033.75, submitted by Modesto Paving, Inc., is 13% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Modesto Paving, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-409 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for Project No. 14 - replacement of curbs, drive aprons and sidewalks at various locations. (Bids were opened on June 19, 1984. The low bid of \$24,625.50, submitted by Modesto Paving, Inc., is 19% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Modesto Paving, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-410 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider rejection of bids for recycle-in-place, various City streets project.

(Bids were opened on June 19, 1984. Two bids were received. Both bids were excessively high and considered unacceptable. It is recommended that the bids be rejected. Memo and bid tabulation with agenda. Resolution rejecting bids needed.)

ACTION: Res. 84-411 adopted rejecting bids. (Eng to handle)

CONSENT

13. Consider award of contract to resurface Tully Road from Briggsmore Avenue to Standiford.

(Bids were opened on June 19, 1984. The low bid of \$99,672, submitted by George Reed, Inc., is 15% below the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-412 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider declaring American Transit Mix Company low bidder on ready-mixed concrete products and authorize the purchase of these products at the respective prices bid.

(Memorandum with agenda. Resolution declaring American Transit Mix Company low bidder and authorizing the purchase needed. Estimated cost: \$18,000; funds are budgeted.)

ACTION: Res. 84-413 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider acceptance of Rodding Cleaning Services, Inc. contract for the internal repair of the 60-inch outfall sewer. (Original contract: \$29,700)

(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. Final cost: \$34,374; funds are budgeted.)

ACTION: Res. 84-414 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of George Reed's contract for the Legion Park parking lot repaving. Original contract: \$8,783.50

(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$9,227.47; funds are budgeted.)

ACTION: Res. 84-415 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider waiving formal bid procedures for the 1984-85 fiscal year and authorized the purchase of gas and diesel from the source with the best available price or from any other source available in the event of restricted supplies.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of gas and diesel from source with best price needed. (Five affirmative votes needed.) Estimated cost: \$769,000; funds are budgeted.)

ACTION: Res. 84-415 adopted waiving formal bid procedures.
(Finance to handle)

CONSENT

18. Consider waiving formal bid procedures and authorize the emergency repair of the influent domestic sewer trunk line at the Water Quality Control Plant.
(Memo with agenda. Work to be performed by Conco West. Resolution waiving formal bids procedures and authorizing emergency repair by Conco West needed. (Five affirmative votes needed.) Estimated cost: \$75,550. (A new account will need to be established after Council approval. Funds are available.)

ACTION: Res. 84-417 adopted waiving formal bid procedures.
(Eng to handle)

CONSENT

19. Consider waiving formal bid procedures and authorizing the purchase of one flow meter from Marsh-McBirney for the total price of \$6,000.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase from Marsh-McBirney needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-418 adopted waiving formal bid procedures.
(Finance to handle)

WRITTEN COMMUNICATIONS

20. Request of Ecology Action Educational Institute for City Council to reconsider action of June 5, 1984, concerning curbside recycling.

ACTION: By motion (Whiteside/Sutton, unan.) staff directed to provide a phone number for information concerning curbside recycling, and Council Committee directed to continue to monitor the concerns raised by Ecology Action.
(Mgmt Services to handle)

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

None

NEW BUSINESS

22. Consider staff report to Council on the result of the rate conferences on essential air service.
(The City has received four proposals to provide our essential air service to Los Angeles. Staff has prepared comments to those proposals for Council approval. Memo with agenda. Motion approving recommendations needed.)

ACTION: By motion (Muratore/Sutton, unan.) recommendations approved.
(Utility Services to handle)

CONSENT

23. Consider setting hearing on the report of the Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the following locations.
(Work has been completed. Costs have been calculated and a tabulation of properties, the owners and the respective cost is included. Resolution setting hearing July 24, 1984, at 7:30 p.m. needed.)

- a.) Sidewalk along Allen Drive at 1100 Allen Drive, Lot 1 of Block 1115 (William Easley - \$524.00)
- b.) Sidewalk at 2102 Sherwood Avenue, a portion of Block 6811 (Lapata International Ltd. - \$2,134.00)
- c.) Sidewalk along Granite Lane at 1442 Carpenter Road, a portion of Block 6203 (W. B. Baker - \$1,429.00)
- d.) Curb and Sidewalk at 222 S. Emerald Avenue, a portion of Block 4118 (Ruben Esparza - \$2,074.00)
- e.) Curb and Sidewalk along Emerald Avenue at 312 S. Emerald Avenue, a portion of Block 4118 (Joyce L. Sheppard - \$1,784.00)
- f.) Curb along Alice Street at 133 College Avenue, a portion of Block 506 (Arturo O. Flores - \$634.00)
- g.) Curb and Sidewalk at 130 Nellie Avenue, Lots 4 and 5 of Block 506 (Charles Moody - \$659.00)
- h.) Curb at 1116 Alice Street, Lots 1, 2 and 3 of Block 506, (Charles Moody - \$534.00)
- i.) Curb and Sidewalk at 126 Nellie Avenue, Lots 6 and 7 of Block 506 (Wendell L. Young - \$834.00)
- j.) Curb and Sidewalk at 122 Nellie Avenue, a portion of Block 506 (Wendell L. Young - \$784.00)
- k.) Curb and Sidewalk along Roble Avenue at 400 San Juan Drive, Lot 10 of Block 2210 (Lena M. King - \$2,207.00)

- l.) Sidewalk at 127 Las Palmas Avenue, a portion of Block 260, (David E. Menshaw - \$424.00)
- m.) Sidewalk along Haddon Avenue and El Vista Avenue at 2133 El Vista Avenue, Lot 11 of Block 2260 (Larry Norton - \$1,388.00)
- n.) Curb along Village Road at 225 Las Palmas Avenue, a portion Block 259 (Gary E. Thomas - \$1,267.00)
- o.) Sidewalk along Pequeno Avenue and Las Palmas Avenue, at 220 Las Palmas Avenue, a portion of Block 2018 (Burrell Willett - \$1,307.00)
- p.) Curb at 127 Palmetto Drive, Lot 4 of Block 664 (Dorrill A. Daubenberger - \$616.00)
- q.) Curb at 122 Palmetto Drive, Lot 11 of Block 667, (Robert Genn - \$1,505.00)
- r.) Curb along Palmetto Drive and Palm Avenue at 104 Palmetto Drive, Lot 13 of Block 667 (Ernest H. Grubb - \$2,420.00)
- s.) Curb along Palmetto Drive and Palm Avenue at 103 Palmetto Drive, Lot 9 of Block 664 (Otis F. Harris - \$1,590.00)
- t.) Curb along Palmetto Drive and Palm Avenue at 614 Palm Avenue, Lot 12 of Block 667 (Babette A. N. Husman - \$1,758.00)
- u.) Curb at 135 Palmetto Drive, Lot 3 of Block 664 (Andrew R. Lederer - \$764.00)
- v.) Curb at 143 Palmetto Drive, a portion of Block 664 (Victoria L. Messer - \$652.00)
- w.) Curb at 139 Palmetto Drive, Lot 2 of Block 664 (Lillian S. Thompson - \$690.00)
- x.) Curb at 123 Palmetto Drive, Lot 5 of Block 664 (Juan A. Tovar - \$620.00)
- y.) Sidewalk repair at 925 Tenth Street, a portion of Block 56 (Cleveland Stockton - \$257.00)
- z.) Sidewalk repair at 509 - 13th Street, Lots 11 and 12 of Block 97 (Donald H. Pierson - \$307.00)
- aa) Curb and sidewalk repair at 4024 Fara Biundo Drive, a portion of Block 1849 (Fara Estates Homeowners Association - \$637.00)
- bb) Sidewalk repair along Downey Avenue at 516 Scenic Drive, Lots 3 and 4 of Block 588 (Wenk Investments - \$307.00)

cc) Sidewalk along 7th Street at 701 "H" Street, Lots 17-21 of Block 43
(Elmo Wilson, Sr., Bird and Helwig - \$437.00)

dd) Sidewalk repair at 1434 Yosemite Boulevard, a portion of Block 2085
(P & T Properties - \$377.00)

ACTION: Res. 84-419 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider authorizing City Manager to sign a three-year contract renewal with Cooperative Personnel Services, Local Government Services Division of the California State Personnel Board to provide technical personnel services.

(Memorandum with agenda. Resolution approving agreement needed.
Estimated cost: \$3,000; funds are budgeted.)

ACTION: Res. 84-420 adopted approving agreement. (Mgmt Services to handle)

CONSENT

25. Establish budget reserves to comply with provisions of Article XIII B of the State of California.

(Memo with agenda. Resolution establishing reserves needed.)

ACTION: Res. 84-421 adopted establishing reserves. (Finance to handle)

CONSENT

26. Consider amendment to agreement with Kennedy/Jenks Engineers for construction engineering services on our Wastewater Treatment and Disposal Facilities Improvement Project, Units 1, 2, and 3.

(It will be necessary during construction for the Consulting Engineer to provide support services in terms of submittal review, preparation of change orders, specialty inspections, materials testing, and final equipment testing on Units 1, 2, and 3 projects. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$929,800; funds are budgeted.)

ACTION: Res. 84-422 adopted approving amendment to agreement.
(Utility Services to handle)

CONSENT

27. Consider modifying radar speed limits.

(Memo with agenda. Seven new radar-enforceable speed limits are proposed. Four revised radar-enforceable speed limits are also proposed. Introduction of ordinance amending Municipal Code Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$1,800; funds are budgeted.)

ACTION: By motion, Ord. No. 2271-C.S. introduced. (Clerk to handle)

CONSENT

28. Consider approval of appropriation transfers from Contingency for Pending Reserve Projects to various accounts in the following funds:

School Site Tax Fund (12) - \$3,603 - Additional funds required to complete the Teel Senior Elementary School expansion projects.

Parks & Recreation Facilities Fund (15) - \$511 - Additional funds required to complete the Mancini Bowl refurbishing project.

State Parks & Recreation Fund (17) - \$45 - Additional funds required for the acquisition of Roselle Neighborhood Park.

(These transfers are needed to provide funds for completion of approved 1983-84 Capital Improvement Program projects. All appropriations in all other funds as of the close of fiscal year 83-84 will be adequate. Resolution approving appropriation transfers needed.)

ACTION: Res. 84-423 adopted approving appropriation transfer for funds to complete Teel Sr. Elementary School expansion.

Res. 84-424 adopted approving appropriation transfer for funds to complete Mancini bowl refurbishing project.

Res. 84-425 adopted approving appropriation transfer for funds needed for acquisition of Roselle Neighborhood Park.

(Finance to handle)

CONSENT

29. Consider approval of Memorandums of Understanding with Modesto City Fire Fighters Association and the Modesto City Employees Association. (Memo with agenda. Resolution approving Memorandums of Understanding with Modesto Fire Fighters Association and with the Modesto City Employees Association needed.)

ACTION: Res. 84-426 adopted approving Memorandum of Understanding with Modesto Fire Fighters Association.

Res. 84-427 adopted approving Memorandum of Understanding with Modesto City Employees Association. (Mgmt Services to handle)

CONSENT

30. Consider actions necessary to implement various employee relations negotiations:

a) Modesto City Employees Association

b) Modesto City Firefighters Association

c) Modesto Police Officers Association

d) Management and Confidential Employees

e) Council Appointees and Department Heads

(Memorandum with agenda. Adoption of eleven resolutions needed.)

ACTION: Res. 84-428 adopted authorizing payment of certain group health, dental and vision insurance premium rates or portions thereof.

Res. 84-429 adopted authorizing commuter passes for bus service on Modesto Intracity Transit.

Res. 84-430 adopted establishing procedure for payment of uniform allowance for Police Dept. personnel.

Res. 84-431 adopted revising Position Classification Plan.

Res. 84-432 adopted declaring 12/24/84 a Holiday for certain City employees, offices, buildings, facilities of City of Modesto.

Res. 84-433 adopted changing the City of Modesto's self-insured Health Care Plan.

Res. 84-434 adopted changing the City of Modesto's self-insured Dental Care Plan.

Res. 84-435 adopted amending Sec. 13.5 of the Personnel Rules relating to sick leave.

Res. 84-436 adopted authorizing payment of portions of some employees' contributions to the Public Employees' Retirement System - Management and Confidential.

Res. 84-437 adopted authorizing payment of portions of some employees' contributions to the Public Employees' Retirement System - two employee organizations.

Res. 84-438 adopted revising pay schedule.

- 30A. Consider approval of loan to Redevelopment Agency.
(The purpose of the loan is to cover architectural fees for the next phase of work on the Community Center. Memo with agenda. Resolution reducing the reserve for the Community Center by \$640,000 and making it available to loan to the Redevelopment Agency needed.)
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 84-439 adopted (Sutton/Muratore, maj., Patterson-no, Mayor Mensinger absent) (Planning to handle)

MISCELLANEOUS

CONSENT

31. Legislation: Staff recommends opposing the following:

- a) AB 3226 (Molina) - Absentee Ballots
- b) AB 3413 (Bradley) - Election Dates

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

ACTION: By motion, recommendations approved.

(Clerk to handle)

32. Appointments

- a. Consider appointment of Board of Directors and charge for Curtains Up '88.

(Board of Directors needs to be officially appointed and charged. Memo with agenda. Resolution appointing Board of Directors needed and resolution approving charge needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 84-440 adopted (Whiteside/Sutton, unan., Mayor Mensinger absent) appointing Board of Directors.

Res. 84-441 adopted (same vote) approving charge.

(Clerk to handle)

- b. Others

None

31.

MATTERS FOR THE GOOD OF THE COMMUNITY


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

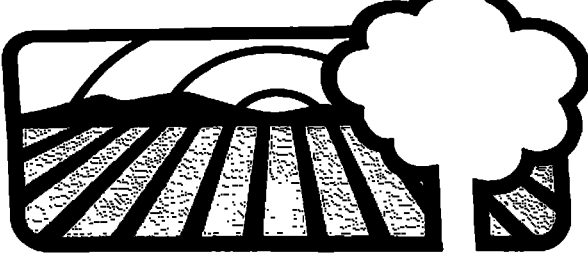
None

ADJOURNMENT

Meeting adjourned at 8:47 p.m.

ATTEST:


NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 3, 1984, 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 Tom Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 21

ACTION: (Sutton/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 introduced two Scouts from Troop 133 and an Explorer from Post 233.

MINUTES

CONSENT

2. Approval of the minutes of the June 26, 1984, special City Council meeting, and the June 26, 1984 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of the following:

- a. Ord. No. 2263-C.S. rezoning from R-1 to P-D, property located on the west side of Carver Road, north side of Standiford Avenue.
(Resource Development)
- b. Ord. No. 2264-C.S. amending P-D(133) to allow the west portion to be occupied entirely with C-1 zone uses, rather than specified C-1 uses. (Lance Ellis/Gregory Development Co.)
- c. Ord. No. 2265-C.S. rezoning from P-D(257) to R-1, property located on the south side of Standiford Avenue, east of Shawnee Drive extended. (Standiford Avenue Joint Venture)
- d. Ord. No. 2266-C.S. rezoning from R-1 to R-3 and P-D(356), property located at the southeast corner of Briggsmore Avenue and Lakewood Avenue. (Horn Construction/Gibraltar Community Builders)
- e. Ord. No. 2271-C.S. modifying radar speed limits.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider amendment to Section 24-3-9 of the Zoning Map to rezone from R-2 to P-D(357) to allow an 8-lot triplex development, property located at the southwest corner of Claus Road and E. Orangeburg Avenue. (Trans-World Financial Corp.)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2272-C.S. introduced.

Res. 84-442 adopted (same vote) approving plan.

Res. 84-443 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the slurry seal of various City streets, 1983-84.
(Suggested bid opening: July 24, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$254,875.53 (contract \$249,877.97; engineering \$4,997.56); funds are budgeted.)

ACTION: Res. 84-444 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approval of plans and call for bids for the Scenic and Claus water line extension.
(Suggested bid opening: July 24, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$35,815 (contract \$31,650; cont. \$1,000; \$3,165 engineering); funds are budgeted.)

ACTION: Res. 84-445 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the interior painting of the McHenry Mansion.
(Suggested bid opening: July 24, 1984, at 11:10 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$8,165 (contract \$7,775; engineering \$390); funds are budgeted.)

ACTION: Res. 84-446 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened July 31, 1984, at 3:00 p.m. for furnishing one aerial lift truck. (Requested by the Parks and Recreation Department for the 1984-85 fiscal year, the aerial lift truck will support a new tree crew whose primary task is to remove mistletoe from mature trees. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$70,000; funds are budgeted.)

ACTION: Res. 84-447 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider award of contract for the asphalt concrete overlays of various City streets, 1984-85.
(Bids were opened on June 26, 1984. The low bid of \$279,960, submitted by The Flintkote Company, is 3% below the engineer's estimate and considered acceptable. It is recommended by the Engineering Department that the contract be awarded to them. Resolution awarding contract to The Flintkote Company. Funds are budgeted.)

ACTION: Res. 84-448 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider acceptance of Joe Martin's contract for the waterline strengthening project on "H" Street from 12th Street to 15th Street.
(Original contract: \$27,129.50)
(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: \$28,163; funds are budgeted.)

ACTION: Res. 84-449 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider rejecting the sole bid received for furnishing one equipment trailer; consider waiving any further bid attempts and authorize the purchase of one equipment trailer from Swenson Steel Products Company for the total price of \$10,468.
(Memorandum with agenda. Resolution waiving bid procedures and authorizing the purchase of one equipment trailer from Swenson Steel Products Company needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-450 adopted waiving bid procedures. (Finance to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY.

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

ACTION: Res. 84-451 adopted (Lang/Muratore, unan.) approving Vineyard No. 3 subdivision map. (Clerk to handle)

NEW BUSINESS

13. 1982 Uniform Fire Code and amendments, including sprinkler ordinance. (Memo and attachments with agenda. Introduction of ordinance needed.)

ACTION: By motion (Sutton/Bright, unan.) Ord. No. 2273-C.S. introduced. (Clerk to handle)

CONSENT

14. New application for Rental Rehabilitation Grant Funds for (Federal) fiscal year 1984-85 for the purpose of:

1. \$78,000 for the rehabilitation of approximately 15 rental units.
2. Utilization of 15 Section 8 Housing Certificates provided for assisting lower income tenants.

(Memo with agenda. The Citizens Housing and Community Development Committee conducted a public hearing and review of this application on June 25, 1984, and recommends City Council approval. Resolution approving the application and authorizing the City Manager to file the application needed.)

ACTION: Res. 84-452 adopted approving application. (Planning to handle)

CONSENT

15. Consider agreement with Caltrans to accept 90% Federal Highway Administration grant to install guard rails on Morton Boulevard. (Memo with agenda. Caltrans administers the Federal program under which the grant is offered. Resolution approving agreement needed. Estimated cost: \$43,000; funds are budgeted.)

ACTION: Res. 84-453 adopted approving agreement. (P.T. to handle)

CONSENT

16. Consider budget revisions required to implement employee agreements and memoranda of understanding. (Memo with agenda. Resolution amending fiscal year 1984-85 budget to reflect adjustments relating to approved employee agreements and Memoranda of Understanding needed.)

ACTION: Res. 84-454 adopted amending budget. (Finance to handle)

CONSENT

17. Consider final approval of issuance of up to \$2.5 million of multi-family mortgage revenue bonds (Oak Haven). (Resource Development seeks final approval of a multi-family mortgage revenue bond issue to finance Oak Haven, a 97-unit multi-family development to be located on Floyd Avenue west of Oakdale Road, P-D(342). Memo with agenda. Resolution authorizing the issuance, sale, and delivery of City of Modesto, California multi-family housing revenue bonds, 1984 Series B (Oakhaven Properties Project) and providing other matters properly relating thereto needed.)

ACTION: Res. 84-455 adopted authorizing issuance of bonds. (Planning to handle)

CONSENT

- 18. Consider acceptance of improvements in Dutchollow No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Zagaris Management Services) (Dutchollow No. 2 subdivision is located east of Dale Road and south of Snyder Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-456 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

- 19. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1984-85 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1. (Memo with agenda. Resolution needed.)

ACTION: Res. 84-457 adopted certifying amount of money needed for payment of bonds. (Finance to handle)

- 20. Consider designating voting delegate and voting alternate for the annual League of California Cities conference September 23-26, 1984. (League memo with agenda. Motion designating delegate and alternate needed.)

ACTION: By motion (Lang/Whiteside, unan.) Mayor Mensinger designated as voting delegate and Vice Mayor Patterson designated as alternate. (Clerk to handle)

CONSENT

- 21. Consider approval of renewal of General Reinsurance Corp. excess workers' compensation insurance for fiscal year 1984-85. (Memo with agenda. Resolution approving renewal of insurance needed. Estimated cost: \$9,500. Funds are budgeted.)

ACTION: Res. 84-458 adopted approving renewal of insurance. (Mgmt. Services to handle)

- 22. Consider declaring a small building located at the proposed Community Center site surplus to City needs and authorizing the Purchasing Officer to sell the property by sealed bid to the highest bidder. (Memo with agenda. Resolution declaring building surplus and approving sale needed.) (Mayor Mensinger will be excused due to conflict of interest.)

ACTION: Res. 84-459 adopted (Lang/Whiteside, unan., Mayor Mensinger absent) declaring building surplus and approving sale. (Finance to handle)

MISCELLANEOUS

- 23. Appointments - None

MATTERS TOO LATE FOR THE AGENDA

- 24. (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

Special Meeting
Modesto City Council
July 9, 1984

The Council of the City of Modesto met at 7:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California, for a joint meeting with the Human Relations Commission.

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

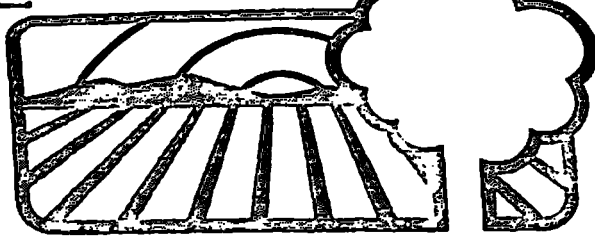
Absent: None

Human Relations Commission: Acosta, Dill, Garcia, Schmid, Valenzuela,
White, Chairman Branham

There was a discussion of matters of mutual concern.

The meeting adjourned at 8:50 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



AMENDED

MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 10, 1984, 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. John Bobzin, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 13, 14,
DROPPED FROM AGENDA: 15 16, 18, 19

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

None

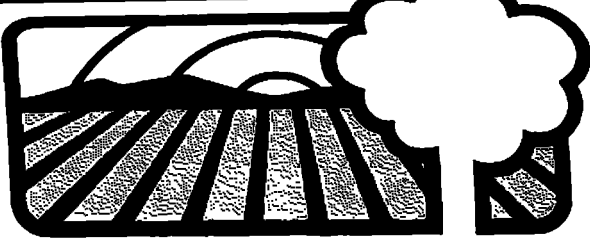
MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of July 3, 1984.

ACTION: By motion, Minutes approved.

(Clerk to handle)



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 10, 1984, 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. John Bobzin, Grace Lutheran Church

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

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

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of July 3, 1984.

ACTION: By motion, Minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider amendment to Section 22-3-9 of the zoning map to rezone from P-D(180) to R-1, property located on the north side of East Orangeburg Avenue west of Oakdale Road. (Zagaris Management Services)

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2274-C.S. introduced.
Res. 84-460 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

4. Hearing to consider an Unclassified Use Permit for a parochial school for grades one through seven, in addition to existing preschool through kindergarten, utilizing existing church facilities at the northwest corner of Enslin Avenue and West Orangeburg Avenue. (Grace Lutheran Church and School)

ACTION: Res. 84-461 adopted (Muratore/Whiteside, unan.) granting Unclassified Use Permit. (Planning to handle)

5. Hearing to consider approving issuing \$6,500,000 principal amount of multi-family rental mortgage revenue bonds for providing financing to Valley Oaks Associates for Valley Oaks Project, located at the northeast corner of Oakdale Road and the proposed Manor Oak Drive.

ACTION: By motion (Sutton/Whiteside, majority, Bright, Lang and Muratore-no) the 10% very low income housing requirement to be included in the project. (Planning to handle)

6. Hearing to consider an application of Steven Eugene Lawry for Certificate of Public Convenience and Necessity to operate a taxi company. (Continued from Council meeting of June 26, 1984.)

ACTION: By motion (Sutton/Lang, majority, Muratore-no) Council indicated its intention to grant the certificates and directing staff to work out the details and return for final action. (Atty/P T to handle)

7. Hearing to consider amendment to Housing Element of Modesto Urban Area General Plan. (Continued from Council meeting of June 26, 1984.)

ACTION: Res. 84-462 adopted (Lang/Patterson, unan.) adopting amended Housing Element of Modesto Urban Area General Plan. (Planning to handle)

BIDS

CONSENT

8. Consider award of contract for the Mancini Park grading and irrigation. Bids were opened on July 3, 1984. The low bid of \$33,406, submitted by Bibens Nursery Co., is 1% below the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Bibens Nursery needed. Funds are budgeted.)

ACTION: Res. 84-463 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider award of contract for the reconstruction of 7th Street from G Street to 7th Street bridge.
Bids were opened on July 3, 1984. The low bid of \$66,289, submitted by The Flintkote Company, is 15% 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 the Flintkote Company needed. Funds are budgeted.)

ACTION: Res. 84-464 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider acceptance of George Reed's contract for resurfacing of West Roseburg Avenue from Carver to Tully. Original contract: \$35,666.
(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. Resolution accepting work as complete needed. Final cost: \$35,666.50. Funds are budgeted.)

ACTION: Res. 84-465 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

11. Request by Downtown Improvement District for permission to hold a sidewalk sale on July 18, 19, 20, and 21, 1984.
(Motion approving request needed.)

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

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

Mayor Mensinger was excused due to a conflict of interest.

Robin Martin, President of League of Women Voters, said the League would be willing to sponsor a debate concerning the Community Center.

Gwen Abernathy read a letter from Bob Oliver concerning a debate about the Community Center.

Bill Vlach discussed the proposed debate.

NEW BUSINESS

CONSENT

13. Consider increasing the 1984-85 operating budget in Cost Center 5214, Sewerage Wastewater Treatment Secondary, and amending Section 5-6.12(a) of the Modesto Municipal Code to cover this increase in the operating budget.

(As a result of increased industrial discharges, precautionary measures need to be taken this summer at our secondary treatment facilities to meet State discharge requirements. Funds are needed to provide and operate additional facilities. The Code amendment provides for cost reimbursement from the industrial users. Memo with agenda. Two resolutions amending 1984-85 budget and introduction of two ordinances needed. Estimated cost: \$230,000).

ACTION: Res. 34-466 adopted amending budget.
Res. 34-467 adopted waiving formal bid procedure and authorizing staff to negotiate prices for rental of irrigation equipment.

By motion, Ord. No. 2275-C.S. adopted (emergency) increasing the operating budget for the Sewerage Wastewater Treatment Secondary and amending Sec. 5-6.12(a) of the Modesto Municipal Code.

By motion, Ord. No. 2276-C.S. introduced increasing the operating budget for the Sewerage Wastewater Treatment Secondary and amending Sec. 5-6.12(a) of the Modesto Municipal Code.

(Utilities/Finance/Clerk to handle)C

CONSENT

14. Consider two agreements with Wilbur J. Elias & Associates to provide design and inspection of the Pavement Marking Demonstration Program. (Memo with agenda. A one-time Federal grant will fund extensive replacement of painted markings with more permanent thermoplastic and ceramic markings. Two resolutions approving agreements needed. Estimated cost \$37,300. Funds are budgeted.)

ACTION: Res. 34-468 adopted approving agreement with Wilbur Elias & Asso. to provide design of the Pavement Marking Demonstration Program.

Res. 34-469 adopted approving agreement with Wilbur Elias & Asso. to provide inspection of the Pavement Marking Demonstration Program.
(P/T to handle)

CONSENT

15. Consider updated 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 the 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 new agreement needed.)

ACTION: ~~Res. 34-470 adopted approving new agreement. (Utilities to handle)~~

DROPPED FROM AGENDA

NEW BUSINESS

CONSENT

13. Consider increasing the 1984-85 operating budget in Cost Center 5214, Sewerage Wastewater Treatment Secondary, and amending Section 5-6.12(a) of the Modesto Municipal Code to cover this increase in the operating budget.

(As a result of increased industrial discharges, precautionary measures need to be taken this summer at our secondary treatment facilities to meet State discharge requirements. Funds are needed to provide and operate additional facilities. The Code amendment provides for cost reimbursement from the industrial users. Memo with agenda. Two resolutions amending 1984-85 budget and introduction of two ordinances needed. Estimated cost: \$230,000).

ACTION:

Res. 84-466 adopted amending budget.

Res. 84-467 adopted waiving formal bid procedure and authorizing staff to negotiate prices for rental of irrigation equipment.

By motion, Ord. No. 2275-C.S. adopted (emergency) increasing the operating budget for the Sewerage Wastewater Treatment Secondary and amending Sec. 5-6.12(a) of the Modesto Municipal Code.

By motion, Ord. No. 2276-C.S. introduced increasing the operating budget for the Sewerage Wastewater Treatment Secondary and amending Sec. 5-6.12(a) of the Modesto Municipal Code.

(Utilities/Finance/Clerk to handle)C

ONSENT

14. Consider two agreements with Wilbur J. Elias & Associates to provide design and inspection of the Pavement Marking Demonstration Program. (Memo with agenda. A one-time Federal grant will fund extensive replacement of painted markings with more permanent thermoplastic and ceramic markings. Two resolutions approving agreements needed. Estimated cost \$37,300. Funds are budgeted.)

ACTION:

Res. 84-468 adopted approving agreement with Wilbur Elias & Asso. to provide design of the Pavement Marking Demonstration Program.

Res. 84-469 adopted approving agreement with Wilbur Elias & Asso. to provide inspection of the Pavement Marking Demonstration Program.

(P/T to handle)

CONSENT

15. Consider updated 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 the 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 new agreement needed.)

ACTION:

Res. 84-470 adopted approving new agreement. (Utilities to handle)

CONSENT

16. Consider supporting Santa Fe/Southern Pacific Railroad merger and authorizing Mayor to send letter of support to PUC.
(Memo with agenda. Support of the merger is recommended on condition that Santa Fe/Southern Pacific provides right-of-way for relocation of Tidewater Southern Railway (Union Pacific). Motion supporting merger and authorizing Mayor to send letter needed.)

ACTION: By motion, merger supported and Mayor Mensinger authorized to send letter. (P/T to handle)

17. Consider accepting report from Council Solid Waste Committee on expiration of Orange Line Sanitation Company's garbage franchise.
(Orange Line Sanitation Company's garbage franchise expires September 30, 1984. Memo with agenda. Motion approving recommendation of Committee to not renew franchise needed.)

ACTION: By motion (Lang/Muratore, majority, Patterson and Mayor Mensinger - no) the request for continuance of this item was denied.

By motion (Lang/Bright, unan.) Committee recommendation approved.
(Utilities to handle)

18. Consider authorizing the City Manager to sign a Customer Support Service Agreement with Hewlett Packard.
(Requested by Engineering Services, the agreement will provide software and manual updates, on-site visits, and phone-in customer service for the Hewlett Packard 1000 system. Resolution authorizing the City Manager to sign a Customer Support Service Agreement with Hewlett Packard needed. Estimated Cost: \$9,360 per year. Funds are budgeted.)

ACTION: Res. 84-471 adopted approving agreement. (Finance to handle)
MISCELLANEOUS

CONSENT

19. Legislation:
Staff recommends opposing as amended SB 2216 (Keene), Brown Act Exemption.
(Memo and attachment with agenda. Motion approving staff recommendation needed.)

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

20. Appointments

None

21.

MATTERS TOO LATE FOR THE AGENDA

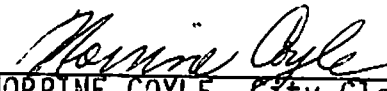
(These may be presented by members of the City Council and staff.)

ACTION: By motion (Whiteside/Bright, unan.) the M.I.A. and Ex.P.O.W. flag will be accepted and flown as requested. (Mgmt Services to handle)

Mayor Mensinger excused due to a conflict of interest.
By motion (Lang/Bright, unan., Mayor Mensinger absent) it was decided to hold a special meeting on July 31, 1984, to provide a history of the Community Center Project and respond to questions from the public. (Special Projects Committee)

ADJOURNMENT

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 17, 1984, AT 4:00 P.M.

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

Absent: Councilmembers Lang, Patterson

Pledge of allegiance to the Flag

Invocation: Councilmember Bright

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11,
12, 14, 15, 17

ACTION: (Whiteside/Sutton, unan., Lang, 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, 1984 special City Council meeting and the July 10, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider granting five taxi permits to Steve Lawry. (Council indicated its intent to grant at the Council meeting of July 10, 1984.) ((Memo with agenda. The company will be called City Cab Co. The cabs will be painted orange. Resolution granting Certificate of Convenience and Necessity to operate five taxis needed.)

ACTION: Res. 84-472 adopted (Whiteside/Bright, unan., Lang, Patterson absent) granting Certificate of Convenience.

By motion (Muratore/Bright, unan., Lang, Patterson absent) report requested on factors effecting availability of cab service at Airport. (P/T to handle)

CONSENT

4. Final adoption of:

- a. Ord. No. 2272-C.S. rezoning from R-2 to P-D(357) property located at the southwest corner of Claus Road and E. Orangeburg Avenue. (Transworld Financial Corp.)
- b. Ord. No. 2273-C.S. relating to the Fire Code and Fire Districts of the City of Modesto
- c. Ord. No. 2274-C.S. rezoning from P-D(180) to R-1, property located on the north side of E. Orangeburg Avenue, west of Oakdale Road. (Zagaris Management Services)
- d. Ord. No. 2276-C.S. amending Section 5-6.12 of Chapter 6 of Title V of the Modesto Municipal Code relating to sewage collection and disposal.

(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 the residential alley program. (Suggested bid opening: August 7, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$93,300 (\$86,794 contract; \$6,506 engineering); funds are budgeted.)

ACTION: Res. 84-473 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the reconstruction of Sunrise Avenue from Lucern to Briggsmore. (Suggested bid opening: August 7, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$224,400 (\$204,000 contract; \$20,400 engineering); funds are budgeted.)

ACTION: Res. 84-474 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 14, 1984, at 3:00 p.m. for furnishing two industrial loaders.

(Requested by the Service Division, one loader will replace a similar unit permanently assigned to Garden Refuse operations; the second unit will be new equipment assigned to Parks & Recreation Tree Division where it will be teamed up with a packer truck to collect tree trimmings. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$60,000; funds are budgeted.)

ACTION: Res. 84-475 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider award of contract for the construction of the caterer's kitchen at the McHenry Mansion.

(Bids were opened on June 26, 1984. The low bid of \$21,902.14, submitted by Pro Builders of Modesto, is considered acceptable and it is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Pro Builders needed. Funds are budgeted.)

ACTION: Res. 84-476 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider award of contract for Lakewood Park improvements.

(Bids were opened on July 10, 1984. The low bid of \$77,505, submitted by George Reed, Inc., is 15% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-477 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider acceptance of The Flintkote Company's contract for Orchard Neighborhood Park Streets. (Original contract: \$61,650)

(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$62,751.41; funds are budgeted.)

ACTION: Res. 84-478 adopted accepting work as complete. (Eng. to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of Christmas decorations from Valley Decorating Company for the total amount of \$8,685.

(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase from Valley Decorating Company needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 84-479 adopted waiving formal bid procedures. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Letter from G & W Ford requesting abandonment of part of a City street at 215 Beech Street.
(Motion referring to Planning Commission needed.)

ACTION: By motion, referred to Planning Commission.

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

- a. Curtis Church and Gene Jamison presented an MIA and Ex-POW banner to be flown July 20, 1984.
- b. Mayor Mensinger excused due to a conflict of interest. By motion (Whiteside/Muratore, unan., Lang, Patterson, Mayor Mensinger absent) Councilmember Bright appointed Mayor ProTem. Bob Oliver read proposals regarding community center and Redevelopment Agency. (Planning to handle)
- c. Councilmember Whiteside reported Girls Water Polo Team has gone to Tennessee to the National Championship.

CONSENT

NEW BUSINESS

14. Consider approving agreement with Gus and Joyce Angelakis for the purchase of 1,900 +/- square feet of their property needed to install sidewalks on Norwegian Avenue, just east of McHenry Avenue.
(The Angelakis' have agreed to sell the required right of way for the appraised value of \$5,100. This is the seventh parcel of 15 parcels being acquired in different areas of the City for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-480 adopted approving agreement. (Utility Serv. to handle)

CONSENT

15. Consider authorizing the City Manager to sign a contract with the Burroughs Corporation for providing maintenance service on the data processing system located in the Finance Department.
(An annual requirement, prices for maintenance on the Burroughs mainframe have increased 7% over last year. An additional disk drive has also been added to the contract. Resolution approving maintenance with the Burroughs Corporation needed. Estimated cost: \$42,120; funds are budgeted.)

ACTION: Res. 84-481 adopted approving agreement. (Finance to handle)

16. Consider calling a special advisory election on November 6, 1984, regarding the Yosemite Trunk Sewer Extension.
(Memorandum and copies of proposed resolutions with agenda. Resolution calling special advisory election needed, and resolution requesting consolidation of special advisory election with the regular election to be held November 6, 1984 needed.)

ACTION: Res. 84-482 adopted (Bright/Whiteside, unan., Lang, Patterson absent) calling special advisory election.

Res. 84-483 adopted (same vote) requesting consolidation of special advisory election with the regular election November 6, 1984. (Clerk to handle)

MISCELLANEOUS

CONSENT

17. Legislation:

Staff recommends supporting AB 4054 (Naylor) - Limited Obligation Bonds. Memo and attachment with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, recommendations approved.

(Mgmt. Services to handle)

18. Appointments

None

19.

MATTERS TOO LATE FOR THE AGENDA

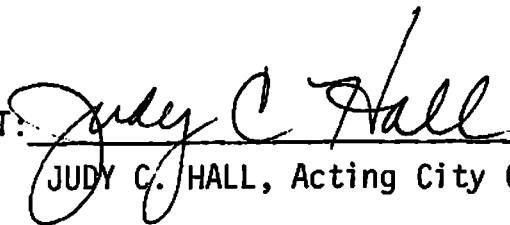
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 4:37 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 24, 1984, 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 2, 6, 7, 8, 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21

Dropped from agenda: 13

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

Mayor Mensinger said the Modesto-Stanislaus Girls' Water Polo Team won the Junior National Outdoor Water Polo Championship.

MINUTES

CONSENT

2. Approval of the minutes of the June 17, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Reconstruction of residential alleys - Project No. 11:

Block 817 - Carla - Valerie/Mills - Columbia

Block 818 - Valerie - Helms/Mills - Columbia

Block 1174 - Lorry - Morene/Orangeburg - Coolidge

Block 1205 - Paulette - Queens/Coolidge - Briggsmore

Block 2089 - Rowland - Covena/Haddon - Roble

Block 6030 - Como Park - College/Oberlin - Ulrich

Block 6180 - Ardmor - Bronson/Middleton - Thoreau
(East-West and 222' of North-South leg)

Block 1172 - Paulette - Queens/Orangeburg - Coolidge

Block 6112 - Pearl - Glenwood/Kearney - Del Vale

Block 12950 - Floyd - Hampshire Ct./Sunrise Avenue

Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 84-484 adopted (Lang/Patterson, unan., Sutton absent) ordering the work of construction done. (Eng to handle)

4. Hearing on the cost of construction of curb and sidewalks at the following locations:

- a.) Sidewalk along Allen Drive at 1100 Allen Drive, Lot 1 of Block 1115 (Parrera Francisco - \$524.00)

ACTION: Res. 84-485 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Eng/Finance to handle)

- b.) Sidewalk at 2102 Sherwood Avenue, a portion of Block 6811 (Lapata International Ltd. - \$2,184.00)

ACTION: Res. 84-486 adopted (Muratore/Patterson, unan.) confirming reports, assessing costs and directing method of collection. (Eng/Finance to handle)

- c.) Sidewalk along Granite Lane at 1442 Carpenter Road, a portion of Block 6203 (W. B. Baker - \$1,429.00)

ACTION: Res. 84-487 adopted (same vote) confirming reports, assessing costs and directing method of collection. (Eng/Finance to handle)

- d.) Curb and Sidewalk at 222 S. Emerald Avenue, a portion of Block 4118 (Ruben Esparza - \$2,074.00)

ACTION: Res. 84-488 adopted (same vote) confirming reports, assessing costs, and directing method of collection. (Eng/Finance to handle)

- e.) Curb and Sidewalk along Emerald Avenue at 312 S. Emerald Avenue, a portion of Block 4118 (Joyce L. Sheppard - \$1,784.00)(Staff recommends payment over 10 years.)

ACTION: Res. 84-489 adopted (same vote) confirming reports, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- f.) Curb along Alice Street at 133 College Avenue, a portion of Block 506 (Arturo O. Flores - \$634.00)

ACTION: Res. 84-490 adopted (same vote) confirming reports, assessing costs, and directing method of collection. (Eng/Finance to handle)

- g.) Curb and Sidewalk at 130 Nellie Avenue, Lots 4 and 5 of Block 506 (Charles Moody - \$659.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-491 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- h.) Curb at 1116 Alice Street, Lots 1, 2 and 3 of Block 506, (Charles Moody - \$534.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-492 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- i.) Curb and Sidewalk at 126 Nellie Avenue, Lots 6 and 7 of Block 506 (Wendell L. Young - \$834.00)

ACTION: Res. 84-493 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- j.) Curb and Sidewalk at 122 Nellie Avenue, a portion of Block 506 (Wendell L. Young - \$784.00)

ACTION: Res. 84-494 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- k.) Curb and Sidewalk along Roble Avenue at 400 San Juan Drive, Lot 10 of Block 2210 (Lena M. King - \$2,207.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-495 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- l.) Sidewalk at 127 Las Palmas Avenue, a portion of Block 260, (David E. Menshaw - \$424.00) (Staff recommends payment over 8 years.)

ACTION: Res. 84-496 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 8 years.
(Eng/Finance to handle)

- m.) Sidewalk along Haddon Avenue and El Vista Avenue at 2133 El Vista Avenue, Lot 11 of Block 2260 (Larry Norton - \$1,388.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 84-497 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- n.) Curb along Village Road at 225 Las Palmas Avenue, a portion Block 259 (Gary E. Thomas - \$1,267.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-498 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- o.) Sidewalk along Pequeno Avenue and Las Palmas Avenue, at 220 Las Palmas Avenue, a portion of Block 2018 (Burrell Willett - \$1,307.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 84-499 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- p.) Curb at 127 Palmetto Drive, Lot 4 of Block 664 (Dorrill A. Daubenberger - \$616.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-500 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- q.) Curb at 122 Palmetto Drive, Lot 11 of Block 667, (Robert Genn - \$1,505.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-501 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- r.) Curb along Palmetto Drive and Palm Avenue at 104 Palmetto Drive, Lot 13 of Block 667 (Ernest H. Grubb - \$2,420.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 84-502 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years.)
(Eng/Finance to handle)

- s.) Curb along Palmetto Drive and Palm Avenue at 103 Palmetto Drive, Lot 9 of Block 664 (Otis F. Harris - \$1,590.00)

ACTION: Res. 84-503 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- t.) Curb along Palmetto Drive and Palm Avenue at 614 Palm Avenue, Lot 12 of Block 667 (Babette A. N. Husman - \$1,758.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 84-504 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- u.) Curb at 135 Palmetto Drive, Lot 3 of Block 664 (Andrew R. Lederer - \$764.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-505 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- v.) Curb at 143 Palmetto Drive, a portion of Block 664 (Victoria L. Messer - \$652.00) (Staff recommends payment over 10 years.)

ACTION: Res. 84-506 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- w.) Curb at 139 Palmetto Drive, Lot 2 of Block 664 (Lillian S. Thompson - \$690.00)

DROPPED FROM AGENDA

- x.) Curb at 123 Palmetto Drive, Lot 5 of Block 664 (Juan A. Tovar - \$620.00)
(Staff recommends payment over 10 years.)

ACTION: Res. 84-507 adopted (same vote) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Eng/Finance to handle)

- y.) Sidewalk repair at 925 Tenth Street, a portion of Block 56 (Cleveland Stockton - \$257.00)

ACTION: Res. 84-508 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- z.) Sidewalk repair at 509 - 13th Street, Lots 11 and 12 of Block 97 (Donald H. Pierson - \$307.00)

ACTION: Res. 84-509 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- aa) Curb and sidewalk repair at 4024 Fara Biundo Drive, a portion of Block 1849 (Fara Estates Homeowners Association - \$637.00)

ACTION: Res. 84-510 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- bb) Sidewalk repair along Downey Avenue at 516 Scenic Drive, Lots 3 and 4 of Block 588 (Wenk Investments - \$307.00)

ACTION: Res. 84-511 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- cc) Sidewalk along 7th Street at 701 "H" Street, Lots 17-21 of Block 43 (Elmo Wilson, Sr., Bird and Helwig - \$437.00)

ACTION: Res. 84-512 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

- dd) Sidewalk repair at 1434 Yosemite Boulevard, a portion of Block 2085 (P & T Properties - \$377.00)

ACTION: Res. 84-513 adopted (same vote) confirming report, assessing costs, and directing method of collection. (Eng/Finance to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of sidewalk on Lillian Drive at Sipherd Park - Block 1630. (Suggested bid opening: August 14, 1984 at 11:05 a.m. The installation of this sidewalk will constitute the first phase of park construction at this location. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$6,000 (\$5,226.50 Contr.; \$773.50 Eng.) Funds are budgeted.)

ACTION: Res. 84-514 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider acceptance of George Reed's contract for the resurfacing of Neece Drive from Rouse Avenue to Tuolumne Boulevard. (Original Contract: \$36,896.00.) (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: \$39,751.10. Funds are budgeted.)

ACTION: Res. 84-515 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Three Rivers Construction's contract for the strengthening of water system on Bodem Street between Downey and East Morris. (Original Contract: \$51,506.)
(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: \$51,305.50. Funds are budgeted.)

ACTION: Res. 84-516 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Pro Builders' contract for the construction of Bellenita Park restroom. (Original Contract: \$32,000.)
(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. Final cost: \$34,599.74. Funds are budgeted.)

ACTION: Res. 84-517 adopted accepting work as complete. (Clerk 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 approving a Citizens Housing & Community Development Committee recommendation to approve agreement with Stanislaus County Housing Authority for provision of counseling services pursuant to our Community Development Block Grant Program.
(Renewal of existing contract in which participants in the Housing Maintenance Program receive counseling in various subjects to sustain the efforts of the program. This would be a follow-up to their participation in the program. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$52,960; funds are budgeted.)

ACTION: Res. 84-518 adopted approving agreement. (Planning to handle)

CONSENT

12. Consider authorizing transfer of school site to Empire Union School District.
(Memo with agenda. Resolution authorizing transfer of a school site to Empire Union School District needed.)

ACTION: Res. 84-519 adopted authorizing transfer of school site.
(Manager to handle)

CONSENT

13. Consider request of State Mortgage Bond Allocation Committee for a \$40 Million allocation for a 1984 Single-Family Mortgage Revenue Bond Issue. (Memo with agenda. Up to \$20 million would be for Modesto developers, up to \$20 million for Merced developers, both amounts combined as a single Central California Mortgage Authority Issue. Participating developers to pay all costs. Staff recommends approval. Resolution authorizing and directing City Manager to submit the application to the State needed.)

DROPPED FROM AGENDA

CONSENT

14. Consider applications for Orange Line Sanitation's garbage franchise area (D). (Orange Line Sanitation's garbage franchise expires September 30, 1984, and City Council has given notice not to renew this franchise. City has received applications from other garbage companies to service this area. Resolution setting public hearing to consider applications August 21, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-520 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider Housing Authority request for City Council resolution supporting their preliminary loan application for low-rent public housing. (HUD requires an adopted City Council resolution as part of the Housing Authority's preliminary application for acquisition of 75 units. A memo explaining the program and a proposed resolution are with agenda. Resolution approving the application for preliminary loan for low-rent public housing needed.)

ACTION: Res. 84-521 adopted approving the application. (Planning to handle)

CONSENT

16. Consider approving agreement with the Stanislaus County Housing Authority in regard to the Rental Rehabilitation Program. (Memo with agenda. Agreement details City and Housing Authority staff commitments. \$78,000 of HUD funds will be used for multi-family loans/grants. Staff recommends approval. Resolution approving agreement needed.)

ACTION: Res. 84-522 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider repealing Section 12-1.01 of the Modesto Municipal Code relating to Rules and Regulations for Lake Modesto. (Memorandum with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2277-C.S. introduced. (Clerk to handle)

CONSENT

18. Consider proposed issuance of up to \$12 million of Multiple-Family Mortgage Revenue Bonds - Gibraltar Community Builders.
(Gibraltar Community Builders has applied for multiple-family mortgage revenue bonds to finance two multiple-family projects totalling up to 312 units to be located on both sides of Lakewood Avenue between Orangeburg Avenue and Briggsmore Avenue. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by Gibraltar Community Builders needed, and resolution approving agreement with bond counsel, Jones, Hall, Hill, and White needed.)

ACTION: Res. 84-523 adopted authorizing issuance of bonds.
Res. 84-524 adopted approving agreement. (Planning to handle)

CONSENT

19. Consider proposed issuance of up to \$3 million of Industrial Revenue Bonds - Evergreen Convalescent Hospital.
(Benedict and Angela Cipponeri have applied for industrial revenue bonds to finance a 105-bed expansion of Evergreen Convalescent Hospital, located on the south side of Evergreen Avenue at Angela Lane. Memo with agenda. Resolution authorizing the issuance of bonds for the purpose of assisting in the financing of a convalescent home and related facilities by Benedict V. Cipponeri and Angela Cipponeri needed, and resolution hearing Tuesday, August 21, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-525 adopted authorizing the issuance of bonds.
Res. 84-526 adopted setting hearing. (Planning/Clerk to handle)

CONSENT

20. Set hearing to consider recommendation to vacate and abandon North Morton Boulevard and Willow Street between Jennie and Grand Streets, closure of North Morton Boulevard at the south line of Jennie, and disposition of City-owned land occupied by the portion of North Morton Boulevard to be abandoned.
(On July 16, 1984, the Planning Commission adopted Resolution 84-124 recommending to the City Council the vacation and abandonment of North Morton Boulevard and Willow Street between Jennie and Grand Streets, the closure of N. Morton Boulevard at the south line of Jennie, and disposition of City-owned land occupied by abandoned portion of N. Morton. Resolution setting hearing Tuesday, August 21, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-527 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommends:

Opposing

a) AB 2648 (Costa) - Subdivision Dedication Requirements

Supporting

b) H.R. 5483 (Oberstar) - Small Community Air Service Improvement Act of 1984.

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

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

22. Appointments

None

23.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Whiteside/Lang, unan.) Wings West's proposal to provide essential air service to Modesto was endorsed.
(Utility Services to handle)

ADJOURNMENT

Meeting adjourned at 8:19 p.m. to Tuesday, July 31, 1984, at 7:30 p.m., in the City Council Chambers, City Hall, 801 11th Street, Modesto, for a forum concerning the community center.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
July 31, 1984

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.

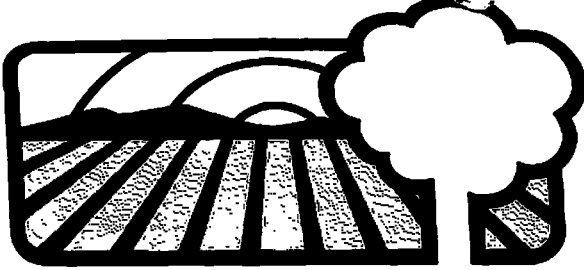
Present: Councilmembers Bright, Lang, Muratore, Sutton, Whiteside,
Acting Mayor Patterson

Absent: Mayor Mensinger

After a brief description of, and information about, the community center project; and responses by Councilmembers Sutton and Whiteside and Mayor Mensinger, and the reading of a written response from Bette Belle Smith concerning conflict of interest charges; questions from the public were received and answered.

The meeting adjourned at 10:00 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 7, 1984, 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, 3, 4, 8, 9, 10, 11, 12,
Dropped from Agenda: 7, 33, 37(c)	13, 14, 15, 16, 17, 18, 19, 22,
Removed from Consent: 21, 36	23, 24, 25, 26, 27, 28, 29, 30, 31,
	32, 34, 37

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

None

MINUTES

CONSENT

- Approval of the minutes of the July 24, 1984, regular City Council meeting and the adjourned regular meeting of July 31, 1984. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

3. Consider approval of amended minutes of the regular City Council meeting of July 10, 1984.
(Memo with agenda. Motion approving amended minutes needed.)

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

UNFINISHED BUSINESS

CONSENT

4. Final adoption of Ord. No. 2277-C.S. relating to Lake Modesto.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2277-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider amending Section 19-3-10 of the Zoning Map to rezone from P-D(267) to R-1, property located east of Claus Road, south of Parker Road, at the extension of Fara Biundo Drive. (Anrul N.V. c/o Lapata International, Ltd.)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2278-C.S. introduced.

Res. 84-528 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing to consider amending Section 19-3-10 of the Zoning Map to rezone from R-1 to P-D(359) for a mobile home park, property located on the south side of Parker Road, east of Claus Road. (Rick Held)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2279-C.S. introduced.

Res. 84-529 adopted (same vote) approving plan.
Res. 84-530 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications for the construction of Ustick Avenue storm drain.
(Suggested bid opening: August 28, 1984, at 11:00 a.m. Ustick Drainage Area has been established by an ordinance. Therefore, City is collecting drainage fees and is obliged by the ordinance to construct the drainage facility. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$106,013 (contract \$96,375; engineering \$9,638); funds are budgeted.)

Dropped from agenda.

CONSENT

8. Consider approval of plans and specifications and call for bids for the strengthening of the N. Ninth Street water line from Tully Road to Coldwell Avenue.
(Suggested bid opening: August 28, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$78,980.75 (contract \$66,670; eng. & cont. \$12,330.75); funds are budgeted.)

ACTION: Res. 84-531 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approving specifications and authorize the call for bids to be opened August 28, 1984, at 3:00 p.m. for furnishing one offset press.
(Requested by the Office Services Division, the press will be used for general printing tasks requested by departments. The press will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$14,000; funds are budgeted.)

ACTION: Res. 84-532 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider award of contract for Scenic and Claus water line extension.
(Bids were opened on July 24, 1984. The low bid of \$31,410, submitted by Bond Construction is less than 1% below the engineer's estimated and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to Bond Construction. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 84-533 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the slurry seal of various City streets, 1983-84.
(Bids were opened on July 24, 1984, at 11:00 a.m. The low bid of \$203,480.97, submitted by California Pavement Maintenance is 18% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to California Pavement Maintenance. Memo and bid tab with agenda. Resolution awarding contract to California Pavement Maintenance needed. Funds are budgeted.)

ACTION: Res. 84-534 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider award of contract for the interior painting of McHenry Mansion.
(Bids were opened on July 24, 1984. The low bid of \$5,802, submitted by D. C. Vient, is 25% below the engineer's estimate and considered acceptable. It is recommended by the Engineering Department that the contract be awarded to him. Memo and bid tab with agenda. Resolution awarding contract to D. C. Vient needed. Funds are budgeted.)

ACTION: Res. 84-535 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider acceptance of Commercial Roofing Tech's contract for the reroofing of the City Hall Annex. (Original contract: \$15,986.) (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: \$16,608. Funds are budgeted.)

ACTION: Res. 84-536 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of E. J. Hackett's contract for the McHenry Museum exterior painting. (Original contract and final cost: \$11,400.) (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. 84-537 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Bond Construction's contract for Pelandale waterline west of Blue Bird. (Original contract: \$33,047.45) (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 and to file the Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 84-538 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of George Reed, Inc.'s contract for the site improvements at Fire Station No. 5. Original contract: \$11,945 (All work on this project has been completed to the satisfaction of the Engineering and Fire 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: \$15,301.24; funds are budgeted.)

ACTION: Res. 84-539 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider accepting epoxy injection repairs to three City parking structures as complete. (Memo with agenda. The contract was awarded to Adhesive Engineering Company on May 1, 1984, for \$15,750. There was one change order to repair new damage at the 11th Street parking garage at a cost of \$650. Work was completed on July 30, 1984. Resolution accepting project as complete needed. Final cost: \$16,400; funds are budgeted.)

ACTION Res. 84-540 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider waiving formal bid procedures and authorize the purchase of wood graining services from John Seekamp.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.)
Estimated cost: \$5,900 - current expenditure; \$9,000 future expenditure. Funds are budgeted.)

ACTION: Res. 84-541 adopted waiving formal bid procedures.
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

19. Letter from Downtown Improvement District inviting the City Council to Modesto's 114th birthday celebration on August 17, 1984, and requesting parking spaces on I Street from 11th and 12th Streets from I Street to the crosswalks on the Courthouse side of the streets be blocked off from 8:00 a.m. to 4:00 p.m., and that there be no time limit for on-street parking that day.
(Motion approving request needed.)

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

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

Bob Oliver and Jerry Schaffer discussed the community center project. Councilmember Muratore asked for a report on a future agenda concerning the urban renewal project years ago. (Planning to handle)

NEW BUSINESS

21. Consider waste treatment plant expansion project.
(Approval of the Council is needed for additional waste treatment plant capacity to allow planned industrial growth to proceed and to authorize staff to engage the outside professional assistance required to arrange project financing. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Patterson/Whiteside, unan.) staff recommendation approved.
(Utility Services to handle)

CONSENT

22. Consider creation of new Office of Economic Development.
(This will be a new City department which will have overall responsibility for coordinating and facilitating economic development in the City of Modesto. Memorandum with agenda. Adoption of emergency ordinance and introduction of regular ordinance creating the Office of Economic Development needed; resolution amending classification plan to create a new position of Economic Development Manager needed; and resolution amending salary resolution needed.)

ACTION: By motion, emergency Ord. No. 2280-C.S. adopted creating the Office of Economic Development.

By motion, Ord. No. 2281-C.S., introduced creating the Office of Economic Development.

Res. 84-542 adopted amending classification plan.

Res. 84-543 adopted amending salary schedule.

(Clerk/Mgmt Services to handle)

CONSENT

23. Consider adopting a resolution designating agencies of the City of Modesto required to adopt conflict of interest codes, establishing a deadline for submission of said codes, adopting procedures for the submission thereof, and rescinding Resolution Nos. 77-27, 77-284, and 84-203.

(It is necessary to add the Office of Economic Development to the list of departments required to adopt a conflict of interest code. At the same time, there are two corrections that needed to be made to the list of boards, commissions and committees required to adopt a code. Memo with agenda. Resolution designating agencies needed.)

ACTION: Res. 84-544 adopted adding the Office of Economic Development to the list of agencies required to submit conflict of interest codes, and deleting the Planning Commission from the list; rescinding Resolution No. 77-491 concerning the Planning Commission's Conflict of Interest Code; correcting the clerical error by deleting the Culture Commission, Downtown Improvement District Board, and Airport Advisory Committee; and superseding Resolution Nos. 77-27, 77-192, 77-284, 77-285, 77-498, and 84-203 designating agencies.

CONSENT

24. Consider approving agreement with Anthony and Lois L. Miranda for the purchase of 1,890 more or less square feet of their property needed to install sidewalks on Norwegian Avenue, just east of McHenry Avenue. (The Mirandas have agreed to sell the required right of way for the appraised value of \$5,000. This is the eighth of fifteen parcels being acquired in different areas of the City for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-545 adopted approving agreement. (Utility Serv to handle)

CONSENT

25. Consider approving agreement with Mark P. and Faye V. Kusanovich for the purchase of 750 more or less square feet of their property needed to install sidewalks on Norwegian Avenue, just east of McHenry Avenue. (The Kusanovichs have agreed to sell the required right of way for the appraised value of \$1,900. This is the ninth of fifteen parcels being acquired in different areas of the City for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-546 adopted approving agreement. (Utility Serv to handle)

CONSENT

26. Consider authorizing City Manager to sign agreement with M.I.D. to permit discharge of storm waters from Stonebridge Apartments into M.I.D. facilities.
(In conjunction with development of Stonebridge Apartments, the City will maintain a positive storm drain system and pump station. The pump station is adjacent to M.I.D. Lateral No. 7 at Standiford Avenue between Hahn Drive and Dale Road. This agreement allows the City to discharge storm waters to M.I.D.'s canal. Resolution approving agreement needed.)

ACTION: Res. 84-547 adopted approving agreement. (Eng to handle)

CONSENT

27. Consider approving agreement with the City of Ceres, Modesto Irrigation District and the City of Modesto to include the City of Ceres in the Ground Water Management Study.
(The City of Ceres has asked to be included as a participant in the Groundwater Management Study. The agreement, once executed, will formally include Ceres in the study in which the groundwater conditions in Ceres will be addressed in the report and the apportionate costs will be shared by the City of Ceres. Resolution approving agreement needed.)

ACTION: Res. 84-548 adopted approving agreement. (Eng to handle)

CONSENT

28. Consider approval of agreement with Andrew Silva, golf professional.
(Staff recommends approval of the above-mentioned agreement. City would retain Andrew Silva as the golf professional and manager of the City's two golf courses, Municipal Nine Hole and Dryden. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$6,600; funds are budgeted.)

ACTION: Res. 84-549 adopted approving agreement. (P/R to handle)

CONSENT

29. Consider approving an agreement with Spengler's Supermarkets to operate a utility pay station at 1612 Crows Landing Road and cancellation of the utility pay station agreement with Save Mart at this location.
(Memo with agenda. Resolution canceling the pay station agreement with Save Mart of Modesto needed, and resolution approving agreement with Spengler's Supermarkets, dba Save Mart of Crows Landing Road needed.)

ACTION: Res. 84-550 adopted canceling utility pay station agreement with Save Mart at 1612 Crows Landing Road.

Res. 84-551 adopted approving agreement with Spengler's Supermarkets.
(Finance to handle)

CONSENT

30. Consider approval of equipment rentals to carry out irrigation work which as authorized at July 10, 1984, City Council meeting.
(As a result of increased industrial discharges this summer, precautionary measures need to be taken at the secondary treatment facilities on Jennings Road to meet State discharge requirements. Rental of irrigation equipment will be required to do the work. Memo with agenda. Three resolutions approving equipment rentals needed. Estimated cost: spray system rental - \$73,658; piping rental - \$42,700; pump rental - \$14,640; funds are budgeted.)

ACTION: Res. 84-552 adopted approving rental of spray system.

Res. 84-553 adopted approving rental of piping.

Res. 84-554 adopted approving rental of pump.
(Utility Services to handle)

CONSENT

31. Consider approving renewal of insurance with Great American Insurance Company, insuring antiques, artifacts, oil paintings from August 6, 1984 through August 6, 1985.
(Memo with agenda. Resolution approving renewal of policy needed. Estimated cost: \$1,702 annual premium. Funds are budgeted.)

ACTION: Res. 84-555 adopted approving renewal of policy.
(Mgmt Services to handle)

CONSENT

32. Consider directing City Clerk to submit a copy of the advisory measure concerning sewer trunk extension proposed for the November 6, 1984, ballot to the City Attorney for preparation of an impartial analysis of the measure.
(Memo with agenda. Resolution transmitting a copy of the proposed measure to the City Attorney for impartial analysis needed.)

ACTION: Res. 84-556 adopted transmitting a copy of the proposed measure to the City Attorney for impartial analysis. (Clerk to handle)

CONSENT

33. Consider approving an appropriation transfer of \$12,000 to pay for new roof for City-owned house at 2845 Lincoln Avenue.
(A new roof is needed for this income-generating property before the next rainy season. Memo with agenda. Resolution approving appropriation transfer needed.)

Dropped from Agenda.

CONSENT

34. Consider approval of TEFRA resolution pursuant to approval of up to \$6 million of industrial development revenue bonds for Stanislaus Food Products Company.
(On December 27, 1984, the Council held a TEFRA hearing concerning issuance of these bonds. Approval of bond issuance based on the hearing is needed. Memo with agenda. Resolution approving the issuance of the Industrial Development Authority of the City of Modesto Industrial Development Bonds (Stanislaus Food Products Company) Series 1984 needed.)

ACTION: Res. 84-557 adopted approving issuance of bonds.
(Planning to handle)

35. Consider proposed issuance of up to \$20 million of multiple-family mortgage revenue bonds.
(JRH Capital Investment and Price Development have applied for multiple-family mortgage revenue bonds to finance two multiple-family projects totaling up to 363 units to be located on Coralwood Drive near McHenry Avenue; and up to 42 units to be located on the southwest corner of Rumble Road and Lou Ann Drive. Resolution authorizing the issuance of bonds for the purpose of financing acquisition and construction of multi-family rental housing facilities by JRH Capital Investment and Price Development needed, and resolution approving engagement of Jones, Hall, Hill and White as bond counsel needed.)

ACTION: Res. 84-558 adopted (Lang/Muratore, unan.) authorizing the issuance of bonds.

Res. 84-559 adopted (Lang/Muratore, unan.) approving agreement with Jones, Hall, Hill and White as bond counsel.
(Planning to handle)

36. (Consider proposed issuance of up to \$10 million of multiple-family mortgage revenue bonds.
(Shadowbrook Investments has applied for multiple-family mortgage revenue bonds to finance a multiple-family project totaling up to 296 units to be located on the southwest corner of Standiford Avenue and Hahn Drive. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by Shadowbrook Investments needed, and resolution approving engagement of Jones, Hall, Hill and White as bond counsel needed.)

ACTION: Res. 84-560 adopted (Whiteside/Lang, unan.) authorizing the issuance of bonds.

Res. 84-561 adopted (Whiteside/Lang, unan.) approving agreement with Jones, Hall, Hill and White.
(Planning to handle)

MISCELLANEOUS

CONSENT

37. Legislation: Staff recommends:

Opposing

- a) SB 1547 (L. Greene) - State Approval for Local Public Buildings
- b) AB 3108 (Robinson) - State Funding of County Trial Costs

Supporting

- c) AB 2038 (Cortese) - Planning Act Revision
Dropped from agenda
- d) AB 2769 (Cortese) - Motor Vehicle License Fees: Local Share
- e) AB 3966 (Elder) - Redevelopment. Hazardous Waste Clean-up
- f) SB 1166 (Marks) - Public Financing: California Infrastructure
Bond Authority

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

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

38. Appointments

None

39.

MATTERS TOO LATE FOR THE AGENDA

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

Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 84-562 adopted (Lang/Muratore, unan., Sutton absent) setting hearing August 21, 1984, 4:00 p.m. regarding transfer of ownership of Orange Line Sanitation to Modesto Garbage Co.

Res. 84-563 adopted (Lang/Muratore, unan., Sutton absent) setting hearing August 21, 1984, 4:00 p.m. regarding a 5-year extension of Orange Line's franchise.

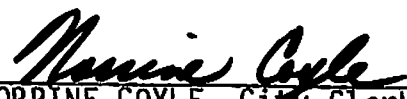
CLOSED SESSION

Closed to consider property acquisition for sewer plant expansion project.

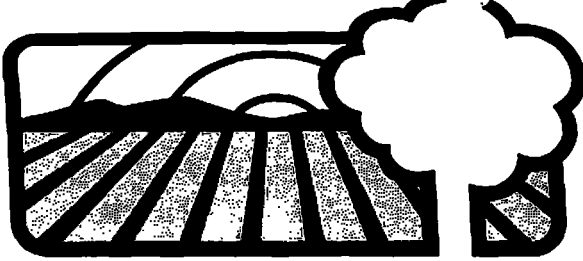
ADJOURNMENT

The meeting adjourned to closed session at 5:12 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 14, 1984, 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 2, 3, 5, 6, 7, 8, 9, 10, 13,
Removed from consent: 19, 20 14, 15, 16, 17, 18, 21, 22,
23, 24

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 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 7, 1984, regular City Council meeting.
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2278-C.S. rezoning from P-D(267) to R-1, property located east of Claus Road, south of Parker Road (Anrul N.V. c/o Lapata International, Ltd.).
- b. Ord. No. 2279-C.S. rezoning from R-1 to P-D(359), property located on the south side of Parker Road, east of Claus Road (Rick Held).
- c. Ord. No. 2281-C.S. adding Article 14 to Chapter 3 of Title II of the Modesto Municipal Code relating to the Office of Economic Development.

(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 the general aviation vehicle parking area.
(Suggested bid opening: August 28, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$93,054 (contract \$86,966; engineering \$6,088); funds are budgeted.)

ACTION: Res. 84-564 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened September 11, 1984, at 3:00 p.m. for furnishing seven detective sedans.
(Requested by the Service Division, the sedans will be permanently assigned to the Police Department Detective Division. Bids will be received for both new or used vehicles for comparative purposes. The sedans will replace similar units presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$62,000; funds are budgeted.)

ACTION: Res. 84-565 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider award of contract for the construction of Oakdale Road from 292.5 feet north of Briggsmore Avenue to Floyd Avenue.
(Bids were opened July 17, 1984. The low bid of \$484,092.70, submitted by Teichert Construction is 1.5% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Teichert Construction. Resolution awarding contract to Teichert Construction needed. Funds are budgeted.)

ACTION: Res. 84-566 adopted awarding contract.

(Eng. to handle)

CONSENT

8. Consider award of contract for Sunrise Avenue reconstruction from Lucern to Briggsmore.
(Bids were opened on August 7, 1984. The low bid of \$187,108, submitted by George Reed, Inc. is 8% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-567 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider acceptance of Three Rivers Construction's contract for the removal of Dennet Dam. (Original cost: \$27,040)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$20,840; funds are budgeted.)

ACTION: Res. 84-568 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of Police radio equipment from Motorola, Inc. for the total price of \$91,705. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of Police radios from Motorola, Inc. needed. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 84-569 adopted waiving formal bid procedure. (Finance to handle)

WRITTEN COMMUNICATIONS

11. Letter from Bob Oliver, Chairman of Modestans for an Affordable Community Center, concerning an advisory measure about the community center. Mayor Mensinger excused due to a conflict of interest.

No action taken.

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

M.C. Ward had a complaint against the Police Dept. It was suggested he talk to Captain Donalson.

James Anderson, Pastor, Christian Love Baptist Church, requested some procedure for better communications between the Police Department and the people on the west side. (Mgr. to handle)

CONSENT

13. Consider authorizing the City Manager to enter into an agreement with Hailwood, Inc. that will allow the City to place sewage effluent on the Chase Ranch for irrigation use.
(As a result of increased industrial discharges, precautionary measures need to be taken this summer at the secondary treatment facilities to meet State discharge requirements. The agreement is needed to implement a portion of the precautionary measures. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$4,750; funds are budgeted.)

ACTION: Res. 84-570 adopted approving agreement. (Utility Services to handle)

CONSENT

14. Consider approving agreement with Jonn J., Sr. and Lucile Gullatt for the purchase of 0.009 more or less acre of their property needed to install sidewalks on California Avenue just east of Emerald Avenue.
(The Gullatts have agreed to sell the required right of way for the appraised value of \$1,700. This is the first parcel of three parcels being acquired in this area for the installation of sidewalks. The Gullatts are the parents of the Gullatt brothers who are City employees. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-571 adopted approving agreement. (Utility Services to handle)

CONSENT

15. Consider approving agreement with Bob and Charlotte Green and Charles and Dorothy Warner for the purchase of 0.025 more or less acre of their property needed to install sidewalks on California Avenue, just east of Emerald Avenue.
(The Greens and Warners have agreed to sell the required right of way for the appraised value of \$4,300. This is the second parcel of three parcels being acquired in this area for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-572 adopted approving agreement. (Utility Services to handle)

CONSENT

16. Consider approving agreement with Peter R. Kwett for the purchase of 0.028 more or less acre of his property needed to install sidewalks on California Avenue, just east of Emerald Avenue.
(Mr. Kwett has agreed to sell the required right of way for the appraised value of \$1,500. This is the third parcel of three parcels being acquired in this area for the installation of sidewalks. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-573 adopted approving agreement. (Utility Services to handle)

CONSENT

17. Consider approving agreement with R. E. Neff for construction inspection services.
(This agreement will provide for the securing of inspection services for the construction of Oakdale Road from 292.5 feet north of Briggsmore Avenue to Floyd Avenue. Resolution approving agreement needed. Estimated cost: \$10,500; funds are budgeted.)

ACTION: Res. 84-574 adopted approving agreement. (Eng. to handle)

CONSENT

18. Set hearing to consider the vacation and abandonment of the 20-foot public alley in Block 105, between H Street and I Street and 13th Street and 14th Street.

(On July 16, 1984, the Planning Commission adopted Resolution No. 84-128 recommending to the City Council the vacation and abandonment of the 20-foot alley in Block 105. Resolution setting hearing September 4, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-575 adopted setting hearing. (Clerk to handle)

19. City Manager's Annual Report of Activities of All City Departments for Fiscal Year 1983-84.

(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 accepting report needed.)

ACTION: By motion (Lang/Muratore, unan.) report accepted.

20. Consider authorizing a 6-month agreement with Caltrans for bus service between Modesto and the Riverbank AMTRAK Station.

(Memo with agenda. The service is estimated to cost \$10,000 and would operate from October 1, 1984 through March 30, 1985. Caltrans would pay one-half (\$5,000) the cost. The City and County would share the remaining cost in shares of about 80% (\$4,000) and 20% (\$1,000), respectively. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-576 adopted (Whiteside/Sutton, unan.) approving agreement.
(P.T. to handle)

CONSENT

21. Consider approval of the final map of Walnut Cove subdivision of the City of Modesto and accept the improvements in Walnut Cove subdivision.

(Subdividers: Shimon and Meekel Amadin)

(All improvements have been completed to the satisfaction of the Engineering Services Department, and all subdivision and inspection fees have been paid. Walnut Cove is located north of Chicago Avenue and west of Paradise Road. It contains 4.06 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 84-577 adopted approving final map and accepting improvements.
(Clerk to handle)

CONSENT

22. Set hearing to consider an amendment to the Municipal Code pertaining to sideyard requirements in the R-1 Zone.

(On August 6, 1984, the Planning Commission adopted Resolution No. 84-130 recommending to the Council an amendment to Section 10-2.505 to allow sideyard easements. Resolution setting public hearing September 4, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-578 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider adoption of a resolution of appreciation for the contribution of the Modesto-Stanislaus Girls Water Polo Team.
(The Modesto-Stanislaus Girls Water Polo Team won the Junior National Outdoor Water Polo Championship in Syracuse, New York. Copy of proposed resolution with agenda. Adoption of resolution needed.)

ACTION: Res. 84-579 adopted expressing appreciation for the contribution of the Modesto-Stanislaus Girls Water Polo Team. (Mgr. to handle)

CONSENT

24. Consider endorsing Assembly concurrent resolution designating the portion of Highway 99 within the City of Modesto as the John G. Veneman Freeway.
(An Assembly concurrent resolution is proposed to be introduced in the State Legislature to designate Highway 99 through Stanislaus County, including the City of Modesto, as John G. Veneman Freeway. Stanislaus County has already taken action to endorse the designation, and cities within the County are being asked to take similar action. A copy of the Stanislaus County Board of Supervisors resolution is being distributed with the agenda. Resolution needed.)

ACTION: Res. 84-580 adopted endorsing the designating of a portion of Highway 99 as the John G. Veneman Freeway. (Atty. to handle)

MISCELLANEOUS

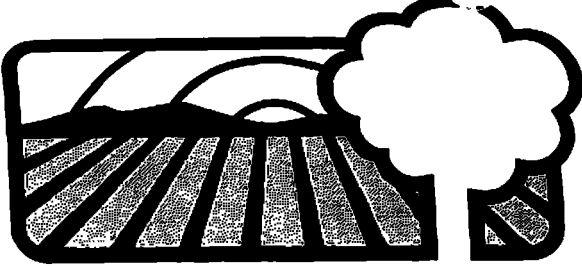
25. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 8:10 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 21, 1984, 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, 14, 15, 16, 17, 18, 20, 21, 23, 24, 25, 26, 27, 28, 29

Dropped from agenda: 13
Removed from Consent: 26

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.)

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation to Modesto-Stanislaus Girls Water Polo Team.

Mayor Mensinger presented resolutions of commendation and T-shirts to team members and their coach and commended them for winning the national championship.

MINUTES

CONSENT

2. Approval of the minutes of the August 14, 1984, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Second interim report of Modesto area water management study.
An oral report was given.

HEARINGS

4. Hearing to consider application to transfer ownership of Orange Line Sanitation Company to Modesto Garbage Company.
Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 84-581 adopted (Lang/Whiteside, unan., Sutton absent)
consenting to the sale of Orange Line to Modesto Garbage Co.
(Utility Services to handle)

5. Hearing to consider renewal of Orange Line Sanitation Company's license to collect garbage in garbage license Area D for five years.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) Ord. No. 2282-C.S
introduced granting franchise to Orange Line for 4 years, 3 months.
(Clerk to handle)

6. Hearing to consider application of Bert and Deloures Bertolotti for a license to collect garbage in garbage license Area D.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Whiteside/Lang, unan., Sutton Absent) hearing concerning application for a license to collect industrial and salvageable waste continued to October 16, 1984, 4:00 p.m.

By motion (Lang/Muratore, unan., Sutton absent) application, except for industrial and salvageable waste request, denied.

7. Hearing to consider application of Gilton Solid Waste Management for a license to collect garbage in garbage license Area D.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) application denied.

8. Hearing to consider application of Modesto Disposal Service for a license to collect garbage in garbage license Area D.
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) application denied.

9. Hearing to consider vacation and abandonment of North Morton Boulevard and Willow Street between Jennie and Grand Streets, closure of North Morton Boulevard at the south line of Jennie, and disposition of City-owned land occupied by the portion of North Morton Boulevard to be abandoned. (It is recommended that this hearing be continued to September 4, 1984, at 4:00 p.m.)

ACTION: By motion (Muratore/Whiteside, unan., Lang absent) hearing continued to September 4, 1984, 4:00 p.m.

10. Hearing to consider proposed issuance of up to \$3 million of industrial revenue bonds for Evergreen Convalescent Hospital.

ACTION: Res. 84-582 adopted (Whiteside/Muratore, unan., Lang absent) approving bonds. (Planning to handle)

11. Consideration of the final approval of issuance of up to \$2,875,000 of Economic Development Revenue Bonds for Benedict and Angela Cipponeri (Evergreen Convalescent Home).
(Benedict and Angela Cipponeri seek revenue bond financing for expansion of Evergreen Convalescent Home, located on Evergreen Avenue at Angela Lane. Memo with agenda. Resolution authorizing the issuance of \$2,875,000 of Economic Development Revenue Bonds for Evergreen Convalescent Hospital and authorizing execution of related documents needed, and resolution authorizing engagement of Jones, Hall, Hill and White to serve as bond counsel needed).

ACTION: Res. 84-583 adopted (Muratore/Whiteside, unan., Lang absent) authorizing issuance of Revenue Bonds.

Res. 84-584 adopted (same vote) authorizing engagement of Jones, Hall, Hill and White to serve as bond counsel. (Planning to handle)

BIDS

12. Consider award of contract for residential alley paving program, Project No. 11.
(Bids were opened on August 7, 1984. The low bid of \$74,937, submitted by Sierra Village Construction, is 14% below 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 Sierra Village Construction needed, and resolution approving interfund transfer of \$45,000 needed. Funds are partially budgeted.) (Councilmember Sutton will be excused due to a conflict of interest.)

ACTION: Res. 84-585 adopted (Patterson/Whiteside, unan., Lang and Sutton absent) awarding contract to Sierra Village Construction.

Res. 84-585A adopted (same vote) approving interfund transfer.
(Eng to handle)

CONSENT

13. Consider award of contract for the construction of sidewalk on Lillian Drive at Sipherd Park - Block 1630.
(Bids were opened on August 14, 1984. The low bid of \$3,152.75, submitted by Central Ready Mix, Inc., is 40% 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 Central Ready Mix, Inc. needed. Funds are budgeted.)

Dropped from agenda.

CONSENT

14. Consider approving specifications and authorize call for bids to be opened September 25, 1984, at 3:15 p.m. for furnishing Wang word processing equipment.
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$115,556; funds are budgeted.)

ACTION: Res. 84-586 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider approving specifications and authorizing call for bids to be opened September 25, 1984, at 3:00 p.m for furnishing one garden refuse packer truck.
(Requested by the Parks and Recreation Department, the packer truck will be teamed up with an industrial loader to collect tree trimmings. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$100,000; funds are budgeted.)

ACTION: Res. 84-587 adopted calling for bids. (Finance to handle)

CONSENT

16. Consider declaring Pac Power low bidder and authorize the purchase of one aerial lift truck from the firm for the total amount of \$62,913.
(Memorandum with agenda. Resolution authorizing purchase of aerial lift truck from Pac Power needed. Funds are budgeted.)

ACTION: Res. 84-588 adopted authorizing purchase. (Finance to handle)

CONSENT

17. Consider acceptance of Conco-West, Inc.'s contract for the installation of playground apparatus at East La Loma Park. (Original contract: \$26,490)
(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: \$28,340; funds are budgeted.)

ACTION: Res. 84-589 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider waiving formal bid procedures and authorize the purchase of three garden refuse claws from Nixon-Egli for the total amount of \$24,393. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-590 adopted waiving formal bid procedures. (Finance to handle)

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

None

NEW BUSINESS

CONSENT

20. Consider approving Caltrans agreement for 90% funding of 1,525 feet of guard rail on Morton Boulevard.
(The Council approved this item on July 3, 1984. Caltrans had budgeted the grant in fiscal year 1983-84, but since the Council approval came in fiscal year 1984-85, Caltrans wants an amended agreement approved. Resolution approving agreement needed. Estimated cost: \$43,000; funds are budgeted.)

ACTION: Res. 84-591 adopted approving agreement. (P/T to handle)

CONSENT

21. Consider approving agreement with Federal Express Corporation for placement of an overnight delivery counter at the Airport.
(This is a one-year agreement which would allow Federal Express to place an overnight delivery counter at the Airport. This is an outdoor facility like a large mailbox. They will pay us \$300/year for this right. Resolution approving agreement needed.)

ACTION: Res. 84-592 adopted approving agreement. (Utility Services to handle)

CONSENT

23. Consider acceptance of improvements in Walnut Tree Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Allen Grant Construction Company, Inc.)
(Walnut Tree Estates subdivision is located north of Merle Avenue and approximately 1,300 feet east of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-593 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

24. Consider acceptance of a Federal construction grant for Water Quality Control Plant Improvements and Disposal Facilities (Units 2 and 3). (The City has received a grant offer from the Environmental Protection Agency in the amount of \$33,307,500. It would be in order for the City Council to accept the grant offer and authorize the City Manager to execute the document on behalf of the City. Memo with agenda. Resolution accepting the grant offer and authorizing the City Manager to execute the offer on behalf of the City needed. Estimated cost: \$44,410,000 (Federal \$33,307,500; State \$5,551,250; City \$5,551,250); funds are budgeted.)

ACTION: Res. 84-594 adopted accepting grant offer. (Utility Serv to handle)

CONSENT

25. Consider change in check approval and signature requirements. (Memo with agenda. Introduction of an ordinance amending Sections 2-3.302, 2-4.203 and 2-4.204 of the Municipal Code needed.)

ACTION: By motion, Ord. No. 2283 introduced. (Clerk to handle)

26. Consider authorizing appropriation transfer of \$23,000 from the "retained earnings" account to the Services Division for the purpose of contracting for the repair of City vehicles. (Memorandum with agenda. Resolution authorizing appropriation transfer needed.)

ACTION: Res. 84-595 adopted (Sutton/Whiteside, unan., Lang absent) authorizing transfer. (Finance to handle)

CONSENT

27. Authorize engagement of Jones, Hall, Hill and White as bond counsel for Valley Oaks Multi-Family Mortgage Bond issue. (Jones, Hall, Hill and White will serve as bond counsel for the Valley Oaks bond issue. Bond counsel to be paid from bond proceeds only. Resolution approving agreement with Jones, Hall, Hill and White needed.)

ACTION: Res. 84-596 adopted approving agreement. (Planning to handle)

CONSENT

28. Consider approval of application for funds under the Roberti-Z'berg Urban Open Space Recreation Program for the purchase and installation of play apparatus at Lakewood and Sipherd Neighborhood Parks. (The City of Modesto is eligible for a \$60,488 block grant under the Roberti-Z'berg Grant Program. These funds would be used for the above-mentioned projects. A 25% local match is required under this grant program. This local match (\$20,163) has been budgeted. Staff recommends approval of the application. Resolution approving application needed.)

ACTION: Res. 84-597 adopted approving application for funds for the Lakewood Neighborhood Park.

Res. 84-598 adopted approving application for funds for the Sipherd Neighborhood Park. (P/R to handle)

CONSENT

29. Consider accepting architectural services for the City Hall parking deck repairs as complete.
(Memo with agenda. The contract for architectural services was completed on August 7, 1984 when the completed epoxy injection repair work was accepted by the City Council. The contract for architectural services was awarded to Conrad Associates on December 21, 1984 for \$8,800. No change orders were issued. A separate contract for resurfacing the lot and some other miscellaenous work was completed and accepted previously. Funds are budgeted.)

ACTION: Res. 84-599 adopted accepting architectural services as complete.
(Clerk to handle)

MISCELLANEOUS

30. Appointments

None

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

Vice Mayor Patterson suggested that the Culture Commission be invited to meetings with the architects concerning the Community Center.

ADJOURNMENT

The meeting adjourned at 6:40 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 28, 1984, 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, 4, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18

ACTION: (Patterson/Lang, unan.)

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

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Consider commemoration of August 6, 1984, as the One Hundredth Year Anniversary of organized government in Modesto.
(The first City election, held August 6 of 1884, began a movement which incorporated Modesto. Copy of proposed resolution with agenda. Resolution needed.)

ACTION: Res. 84-600 adopted (Sutton/Patterson, unan.) commemorating the 100th anniversary of organized government in Modesto. (Clerk to handle)

MINUTES

CONSENT

2. Approval of the minutes of the August 21, 1984, regular City Council meeting.
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2282-C.S. granting to Orange Line Sanitation Co., Inc. a license for the collection of garbage in the City of Modesto.
(Motion adopting needed.) (Councilmember Sutton will be excused due to a conflict of interest.)

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent) Ord. No. 2282-C.S. adopted. (Clerk to handle)

CONSENT

4. Ord. No. 2283-C.S. amending the Municipal Code relating to signing checks, drafts, and warrants.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2283-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider repeal of P-D(280), and rezoning to R-3 and P-0 property located on the east side of Coffee Road, north of Celeste Drive and to consider the repeal of P-D(281) and rezoning to R-3, property located on the north side of Celeste Drive, east of Coffee Road. (Contek Associates)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2284-C.S. repealing P-D(280) introduced. Res. 84-601 adopted (same vote) certifying review of Environmental Assessment on P-D(280)

By motion (Muratore/Lang, unan.) Ord. No. 2285-C.S. repealing P-D(281) introduced. Res. 84-602 adopted (same vote) certifying review of Environmental Assessment on P-D(281)

(Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approving specifications and authorize call for bids to be opened September 25, 1984, at 3:30 p.m. for furnishing three light utility trucks.
(Requested by the Service Division, the trucks will be permanently assigned to the Police Department Patrol Division and used by the Community Service Officers. The trucks will replace similar units presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 84-603 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider rejection of all bids for the construction of sidewalk on Lillian Drive at Sipherd Park, Block 1630.
(Bids were opened on August 14, 1984. The engineer's estimate was \$5,226.50. The low bid submitted by Central Ready Mix, is \$3,152.75, thus justifying the construction of the project by purchase order rather than by formal contract process. A purchase order will be issued to the low bidder upon Council approval of the rejection of bids. Bid tabulation with agenda. Resolution rejecting bids needed. Funds are bugeted.)

ACTION: Res. 84-604 adopted rejecting bids. (Eng. to handle)

CONSENT

8. Consider acceptance of Modesto Paving, Inc's contract for the reconstruction of Emerald Avenue between M.I.D. Lateral No. 4 and Laurel Avenue. (Original contract: \$16,313.88)
(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: \$16,362.40; funds are budgeted.)

ACTION: Res. 84-605 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Grover Landscaping's contract for the installation of irrigation system in Bellenita Park. Original contract \$34,592.
(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: \$36,598; funds are budgeted.)

ACTION: Res. 84-606 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Clyde Wheeler Pipeline's contract for the Tudor-Waldo-Ironside subtrunk extension. Original contract: \$28,900.
(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: \$28,835; funds are budgeted.)

ACTION: Res. 84-607 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider declaring property surplus to City needs and authorize the Purchasing Officer to sell the property by sealed bid.
(Memorandum and property list with agenda. Resolution declaring property surplus and authorizing sale needed.)

ACTION: Res. 84-608 adopted declaring property surplus and authorizing sale.
(Finance to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Bob Oliver and George Petrulakis made some comments regarding the community center. Ross Campbell introduced Harlan Westenberg, Economic Development Manager, who made a few remarks.

NEW BUSINESS

13. Consider approving letter drafted for Mayor's signature to Civil Aeronautics Board (CAB) regarding essential air service at the Modesto City-County Airport.

(A letter has been drafted for the Mayor's signature to the CAB advising them of the City's intentions pertaining to the CAB's request for the City to consider sharing a portion of the subsidy burden of essential air service to Los Angeles. Memo with agenda. Motion approving letter to Civil Aeronautics Board needed.)

ACTION: By motion (Sutton/Whiteside, unan.) letter to C.A.B. approved.
(Utility Services to handle)

CONSENT

14. Consider entering into an agreement with the Turlock Irrigation District for installation of the parallel outfall line on the Water Quality Control Plant expansion project.

(The Unit 1 Projcet involves crossing T.I.D. facilities in three places with the parallel outfall line. The City is required to enter into an agreement with T.I.D. for these crossings. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-609 adopted approving agreement. (Utility Services to handle)

CONSENT

15. Consider approving agreement with Modesto City Schools covering crossing guard at Franklin-Locust intersection.

(Agreement has now been prepared and signed per City Council direction. Memo with agenda. Estimated cost: \$1,367.62. Funds are budgeted.)

ACTION: Res. 84-610 adopted approving agreement. (P/T to handle)

CONSENT

16. Consider approving transit advertising/promotion campaign agreement with Debee Loyd Advertising.

(Memo with agenda. The agreement would cover the City's transit advertising/promotion campaign for the 1984-85 fiscal year. Resolution approving agreement needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 84-611 adopted approving agreement. (P/T to handle)

CONSENT

17. Consider acceptance of improvements in Hillsboro Heights subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Steinpress Development) (Hillsboro Heights subidivison is located north of West Rumble Road and east of Prescott Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 84-612 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider joining in an amicus curiae brief in the case of Spiritual Psychic Science Church of Truth, Inc. v. City of Azusa (Issue: City ordinance which imposes an absolute ban on fortune-telling violates the California and U.S. Constitutions.)
(Memorandum with agenda. Motion authorizing joining in as amici in the above amicus curiae brief needed.)

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

MISCELLANEOUS

19. Appointments

None

20.

MATTERS TOO LATE FOR THE AGENDA

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

ACTION: By motion (Whiteside/Sutton, unan.) AB2635 (Bronzan) Pesticide Pre-emption, opposed unless amended. (Mgmt. Services to handle)

Res. 84-613 adopted (Whiteside/Muratore, unan.) recognizing olympic achievements of Doug and Candy Burke. (Clerk to handle)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 4, 1984, AT 4:00 P.M.

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

Absent: Lang

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 12, 13, 14, 16
17, 18, 19, 20, 21, 22, 23, 24, 25

Removed from Consent: 15

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

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council. The action taken by the Council in approving 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 28, 1984, regular City Council meeting.
(Motion approving needed.)

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

HEARINGS

3. Hearing to consider vacation and abandonment of 20-foot public alley in Block 105, bounded by 13th, 14th, H and I Streets. (McClatchy Newspapers)

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

4. Hearing to consider an amendment to the Municipal Code pertaining to sideyard requirements in the R-1 Zone (Section 10-2.505).

ACTION: By motion (Muratore/Sutton, unan., Lang absent) Ord. No. 2286-C.S. introduced.

Res. 84-614 adopted (same vote) certifying review of Environmental Assessment. (Clerk to handle)

5. Hearing to consider vacation and abandonment of North Morton Boulevard and Willow Street between Jennie and Grand Streets, closure of North Morton Boulevard at the south line of Jennie, and disposition of City-owned land occupied by the portion of North Morton Boulevard to be abandoned. (Continued from the August 21, 1984, meeting.)

ACTION: By motion (Muratore/Whiteside, unan., Lang absent) staff recommendations approved with a yield sign to be installed on Grand Street and the sidewalk matter on Grand to be deferred until historical decisions concerning the bridge have been made.

Motion to reduce the trail system from 20 feet to 16 feet and to 14 feet failed to carry.

By motion (Sutton/Patterson, unan., Lang absent) trail reduced to 15 feet. (Planning to handle)

BIDS

CONSENT

6. Consider award of contract for the general aviation vehicle parking area. (Bids were opened on August 28, 1984. The low bid of \$75,262, submitted by Granite Construction Co., is 13.46% below the engineer's estimate. It is recommended by the Engineering Department that the contract be awarded to them. Resolution awarding contract to Granite Construction Co. needed. Funds are budgeted.)

ACTION: Res. 84-615 adopted awarding contract. (Eng to handle)

CONSENT

7. Consider award of contract for the N. Ninth Street water line strengthening from Tully Road to Coldwell Avenue. (Bids were opened on August 28, 1984. The low bid of \$58,240, submitted by Clyde Wheeler Pipeline, is 12.62% below the engineer's estimate and considered acceptable. It is recommended the contract be awarded to Clyde Wheeler Pipeline. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

ACTION: Res. 84-616 adopted awarding contract. (Eng to handle)

CONSENT

8. 1) Consider declaring Case Power and Equipment sole bidder and authorize the purchase of three industrial loaders from the firm for the total amount of \$120,944; and
- 2) Consider amending the 1984-85 Budget to appropriate \$50,000 from the Service Division's Retained Earnings.

(Memorandum with agenda. Resolution authorizing the purchase needed, and resolution amending the 1984-85 Annual Budget needed. Funds are partially budgeted.)

ACTION: Res. 84-617 adopted authorizing purchase of loaders.

Res. 84-618 adopted amending budget. (Finance to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the rental of three diesel pumps from Stang Hydronics for the total amount of \$12,650. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing rental of diesel pumps needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-619 adopted waiving formal bid procedures.

(Finance to handle)

WRITTEN COMMUNICATIONS

10. Requests by the Building Industry Association and the Modesto Chamber of Commerce that the City Council take a stand in support of the Yosemite sewer trunk extension.

ACTION: By motion (Muratore/Bright, majority, Mayor Mensinger - no, Lang-absent) Council indicated support of the Yosemite sewer trunk extension.

11.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

After an explanation about the purpose of this item, Mayor Mensinger was excused due to a conflict of interest.

George Petrulakis requested a letter responding to Bob Oliver's previous letter.

Patrick McGrath spoke about the Community Center.

NEW BUSINESS

CONSENT

12. Consider setting date for public hearing for proposed Houser Lane No. 2 Annexation.

(On August 15, 1984, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The annexation would include two rural residential parcels located east of Carpenter Road between Houser Lane and California Avenue. These parcels total 8.117 acres and contain an existing single-family dwelling and a guest home. There are four registered voters within the annexation proposal. Resolution setting public hearing October 9, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-620 adopted setting hearing. (Clerk to handle)

CONSENT

13. Consider setting Hearing of Necessity to acquire the Della Farrell, et al property, the Joseph Sciabica, et ux property, and the Joseph Sciabica, et al properties for Dry Creek Park.

(Staff has made written offers to acquire the subject properties. All offers have been refused. Further negotiations are not expected to change the situation. Resolution setting hearing October 2, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-621 adopted setting Hearing of Necessity. (Clerk to handle)

CONSENT

14. Authorize the City Manager to sign engagement letters with Jones, Hall, Hill and White and Merrill Lynch, Pierce, Fenner, and Smith, Inc. under previously approved terms to act as underwriters and bond counsel for the Waste Water Treatment Plant project.

(Memo with agenda. Two resolutions approving agreements needed.)

ACTION: Res. 84-622 adopted approving agreement with Jones, Hall, Hill and White.

Res. 84-623 adopted approving agreement with Merrill Lynch, Pierce, Fenner, and Smith, Inc. (Finance to handle)

15. Set hearing to consider approval of report by Superintendent of Streets on the costs of residential alley resurfacing
The following are 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 September 18, 1984, at 4:00 p.m. needed. Property owners share of cost listed with properties.

Mayor Mensinger excused due to a conflict of interest.

BLOCK 812

YALE-HARVARD/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Mary H. Cunningham Jones	Por.	\$495.50
Paul R. Wyatt	Por.	508.48
Roger D. Wickman	Por.	446.22
Ralph C. Beckwith	Por.	360.00
Stephen A. Salvo	Por.	395.51
Dale G. Fredenburg	Por.	380.30
Lynne Fenderson	Por.	365.09
Alfred A. Hamaway	Por.	496.92
Gregory S. Benes	Por.	481.71
Ronald L. Champion	Por.	496.92
Patricia H. Honey	Por.	431.01
Marvin A. Truman	5	348.25
James Von Dohlen	6	339.84
Anna O. Michael	7	449.67

BLOCK 813

PRINCETON-YALE/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Judy R. McArthur	Por.	\$594.38
George S. Kounias	Por.	418.11
Gerald M. Kouacs	11	456.62
Stanford Cushway	7	456.62

BLOCK 820

STANFORD-PRINCETON/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Warner A. Benthall	9	\$355.62
Frank J. Capps	10	337.69
Harold L. Hutchinson	Por.	566.10
John W. Crosby	Por.	542.42
Charles J. Peluso	14	361.63
George W. Lawrence	15	361.63
Lawrence S. Jacobsen	16	361.63
Jack Robinson	1	361.63
Charles L. Duchscher	17	361.63
Agnes M. Salter Trust	2	361.63
Mary A. Murray	3	361.63
Raymond G. Oberlin	Por.	381.95
Janice M. Kline	Por.	518.19
Jeffery C. Davis	Por.	511.74

BLOCK 1206/1205

PAULETTE-MORENE/COOLIDGE-BRIGGSMORE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
-----------------------	------------	----------------------

George H. Ford	14	287.99
Humberto R. Rodriguez	13	287.99
E. J. Hyden	12	287.99
Harry H. Wheeler	11	316.74
6018	CHERRYWOOD-ROSEBURG/DEL VALE-KEARNEY	<u>BLOCK</u>

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Curtis C. Stonecipher	Por.	\$336.02
Earl E. Heath	Por.	349.86
Gary L. Jones	Por.	291.55
Richard H. Anderson	1	345.00
James A. Handley	2	345.00
George S. Riebe	3	345.00
Kathy H. Whaley	4	345.00
Ralph D. Hutchinson	5	340.15
Michael L. Evans	6	340.15
Howard Draper	7	350.59
Phillip G. Nisonger	8	342.82
Esther M. Olsen	9	345.00
Laverne D. Reynolds	10	345.00
Beryl Thompson	11	345.00
Wade M. Ridenhour	12	345.00
Lois Langston	13	345.00
Sharon L. Bump	14	345.00
Craig D. Hollingsworth	Por.	325.96
Ronald J. Richardson	Por.	349.86
Suburban Coastal Corporation	Por.	299.57

BLOCK 6058 W. ORANGEBURG-MARIAN/MAGNOLIA-ALMA

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Charles J. Billington	5-11	\$894.02
James MacMillan	1-4	438.33
John L. Mensinger	Por.	536.41
Harold J. Kreutz	12-15	690.90

BLOCK 6019 GLENWOOD-PEARL/DEL VALE-CARVER

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Reed H. Stevens	17	\$242.96
Lavern E. Shaddock	18	242.96
Nellie Leonard	19	242.96
Madora E. Hunt	20	242.96
Lela Costa	21	242.96
Lena Farley	22	242.96
John E. King	23	242.96
David E. Fanjul	24	242.96
Juana C. Zenteno	25	242.96
Grodon R. Nelson	26	242.96

Richard G. Snow	27	242.96
George G. Saponas	6	242.96
Kathryn Evenson	7	242.96
James J. Weakland	8	242.96
Mark J. Greenlee	9	242.96
John L. Smith	10	242.96
Homer J. Hayes	11	242.96
Helen B. Spies	12	242.96
Richard C. Stasi	13	242.96
Linna M. Weldon	14	242.96
Mario Sisto, Sr.	15	242.96
Lloyd E. Loeb	16	242.96

ACTION: Res. 84-624 adopted (Whiteside/Bright, unan., Lang and Mayor Mensinger absent) setting hearing. (Clerk to handle)

CONSENT

16. Consider authorizing City Manager to sign agreement with World Investments No. 5, World Investments No. 6 and Pan Capital, for storm drain installation in Cape Cod Estates No. 1 (Improvement plans for Cape Cod Estates No. 1 require installation of a 30-inch storm drain trunk. Developer has requested permission to install the line to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed, and resolution amending the 1984-85 Annual Budget needed. Estimated cost: \$89,201; funds are budgeted.)

ACTION: Res. 84-625 adopted approving agreement.

Res. 84-626 adopted amending budget. (Eng. to handle)

CONSENT

17. Consider approving the selection of Hodges & Shutt as the best qualified firm to perform the Regional Airport Study and authorize the staff to prepare an agreement to be brought back to the Council for their approval. (Memo with agenda. Motion approving selection needed.)

ACTION: By motion, selection approved. (Utility Services to handle)

CONSENT

18. Consider approving lease agreement with Wings West Airlines, Inc. to provide our essential air service to Los Angeles at the Modesto Airport. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-627 adopted approving agreement. (Utility Serv to handle)

CONSENT

19. Consider approving lease agreement with Jerry Benjamin Hensley for the lease of the old City pond site, the former Forcade property, the undeveloped portion of Bellenita Park, Robertson Road park site, and Mark Twain Park site. (This is a one-year renewal of an existing lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-628 adopted approving agreement. (Utility Serv to handle)

CONSENT

20. Consider approving lease agreement with Gallo Glass Company for the lease of a portion of Mark Twain Park site.
(This is a one-year lease of the northerly 60 feet of Mark Twain Park site. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-629 adopted approving agreement .(Utility Serv.to handle)

CONSENT

21. Consider approving lease agreement with Joe Di Anna for the lease of the former Dr. Anderson property and portions of the former Sommerfeld and Kounias properties in proposed Dry Creek Park.
(This is a one-year renewal of an existing lease. Mr. Di Anna will pay the City 20% of the crops. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 84-630 adopted approving agreement. (Utility Serv to handle)

CONSENT

22. Consider approving two amendments to lease agreements with Jo Di Anna for the lease of a portion of the former Kounias property and the Maxwell property.
(The purpose of this amendment is to change the method of payment on these leases and eliminate the Workers' Compensation insurance requirement. Payment will now be 20% of the crops instead of a flat rate. This is a more common way of paying rent. Two resolutions approving amendments to agreements needed.)

ACTION: Res. 84-631 adopted approving amendment to agreement on former Kounias property.

Res. 84-632 adopted approving amendment to agreement on former Maxwell property. (Utility Services to handle)

CONSENT

23. Recommended policy for guiding the investment of public funds.
(Memo with agenda. Resolution adopting proposed policy needed.)

ACTION: Res. 84-633 adopted adopting policy. (Finance to handle)

CONSENT

24. Consider authorizing increase of \$5,827.29 to purchase order to Conco-West, Inc. for repair work done on the influent domestic sewer trunk line at the Water Quality Control Plant, and consider approval of the issuance of a purchase order in the amount of \$17,664.80 to Sancon Engineering for additional pumping required for the same project.
(Memo with agenda. Resolution increasing purchase order to Conco-West, Inc. needed, and resolution approving issuance of purchase order to Sancon Engineering needed. Funds are budgeted.)

ACTION: Res. 84-634 adopted increasing purchase order to Conco-West.

Res. 84-635 adopted approving issuance of purchase order to Sancon Engineering. (Eng to handle)

CONSENT

25. 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 accepting report needed.)

ACTION: By motion, report accepted.

MISCELLANEOUS

26. Appointments

None

- 27.

MATTERS TOO LATE FOR THE AGENDA

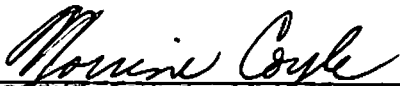
(These may be presented by members of the City Council and staff.)

None

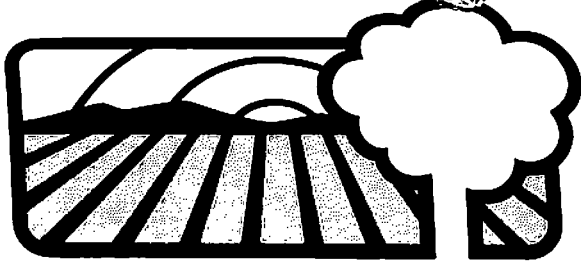
ADJOURNMENT

Meeting adjourned at 6:42 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 11, 1984, 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. Mel Turner, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 11,
12, 15, 16, 17, 18

Dropped from agenda: 10

ACTION: (Sutton/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 September 4, 1984, 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. 2284-C.S. rezoning from P-D(280) to R-3 and P-0, property located on the east side of Coffee Road north of Celeste Drive. (Villa Verde North)
- b. Ord. No. 2285-C.S. rezoning from P-D(281) to R-3, property located on the north side of Celeste Drive east of Coffee Road. (Villa Verde Celeste)
- c. Ord. No. 2286-C.S. relating to side yard zoning.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider amendment to Sec. 14-3-9 of the Zoning Map to repeal P-D(311) and rezone to R-1, property located on the southeast corner of Floyd Avenue and Oakdale Road. (Ross Briles)

ACTION: By motion (Lang/Muratore, unan., Bright absent) Ord. No. 2287-C.S. introduced.

Res. 84-636 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the construction of the American Legion Hall deck.
(Suggested bid opening: October 2, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated total cost: \$91,790.58 (contract \$83,445.98; engineering \$8,344.60); funds are partially budgeted. Appropriation transfer will be prepared upon award of contract.)

ACTION: Res. 84-637 adopted calling for bids.

(Eng. to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened October 9, 1984, at 3:00 p.m. for furnishing one forklift.
(Requested by the Service Division, the forklift will be new equipment permanently assigned to the bus shop. The forklift will be primarily used to pull and cradle bus engines and transmissions. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$16,000; funds are partially budgeted. Appropriation transfer will be prepared upon award of contract.)

ACTION: Res. 84-638 adopted calling for bids.

(Finance to handle)

CONSENT

7. Consider acceptance of Rolfe Construction's contract for the Housing Improvement Area No. 3 - Phase II. Original contract: \$259,469.15 (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: \$264,782.73; funds are budgeted.)

ACTION: Res. 84-639 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Granite Construction's contract for the construction of general aviation area tiedown. (Original contract: \$149,462.55) (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: \$151,648.63; funds are budgeted.)

ACTION: Res. 84-640 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Sancon Engineering, Inc.'s contract for the polyurethane lining of Emerald and Woodland lift stations and pipeline at water quality control plant. (Original contract: \$75,800) (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: \$78,191.60; funds are budgeted.)

ACTION: Res. 84-641 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Strata Construction's contract for the construction of the Ekins and Gagos subtrunk sewer. (Original contract: \$98,090) (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: \$97,130; funds are budgeted.)

Dropped from agenda.

CONSENT

11. Consider acceptance of George Reed's contract for the resurfacing of Tully Road from Briggsmore Avenue to Palmilla Drive - Part I. (Original contract: \$99,672) (All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$101,034.60; funds are budgeted.)

ACTION: Res. 84-642 adopted accepting work as complete. (Clerk to handle)

CONSENT

- 12. Consider acceptance of M & M Electric's contract for the Briggsmore Street lighting, Phase II - Carver Road east. (Original contract and final cost: \$24,142)
(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. 84-643 adopted accepting work as complete. (Clerk to handle)

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Mayor Mensinger excused due to a conflict of interest.
Patrick McGrath and Bill Vlach spoke about the Community Center.

NEW BUSINESS

- 14. Consider designating voting and alternate voting delegates for the Annual Congress of Cities, November 24-28, 1984, in Indianapolis, Indiana.
(Motion designating delegates needed.)

ACTION: By motion (Whiteside/Sutton, unan., Bright absent) Mayor Mensinger designated as voting delegate and Vice Mayor Patterson and Councilmember Muratore designated as alternates. (Clerk to handle)

CONSENT

- 15. Consider terminating lease agreement with Sally Ann Hart, dba H.A.R.T. Company, as her company is not in compliance with the provisions of its lease agreement.
(H.A.R.T. Company has not made any payments for the year 1983 for their service information centers installed at the airport passenger terminal and administration building. Memo with agenda. Resolution approving termination of lease agreement needed.)

ACTION: Res. 84-644 adopted approving termination of lease agreement. (Utility Services to handle)

CONSENT

- 16. Consider acceptance of a State of California construction grant for water quality control plant improvement and disposal facilities (Units 2 and 3). (The City has received a grant offer from the State Water Resources Control Board in the amount of \$5,551,250. It would be in order for the City Council to accept the grant offer and authorize the City Manager to execute the document on behalf of the City. Memo with agenda. Resolution accepting grant offer and authorizing the City Manager to execute on behalf of the City needed. Estimated total cost: \$44,410,000 (Federal \$33,307,500; State \$5,551,250; City \$5,551,250); funds are budgeted.)

ACTION: Res. 84-645 adopted accepting grant offer. (Utility Services to handle)

CONSENT

- 17. Consider request of Sprouse Reitz Co., Inc. for refund of overpayment of business license tax - \$2,814.17.
(Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 84-646 adopted approving refund. (Finance to handle)

CONSENT

- 18. Consider setting Hearing of Necessity to acquire the E. Lois Allen property for Dry Creek Park.
(The City's engineer, in doing maps for Sciabica/DeMartini acquisition discovered a 5' ownership in the name of E. Lois Allen. Staff tried to locate this person but has been unsuccessful. Starting Eminent Domain proceedings is necessary to acquire the property. Resolution setting hearing October 2, 1984 at 4:00 p.m. needed.)

ACTION: Res. 84-647 adopted setting hearing. (Clerk to handle)

- 19. Consider an application for a permit to allow a second floor stairway to encroach 5 feet into the sidewalk on E Street at Cook Market Place.
(Memo with agenda. Resolution denying encroachment or authorizing staff to issue an encroachment permit needed.)

ACTION: Res. 84-648 adopted (Lang/Patterson, unan., Bright absent) approving an encroachment permit. (Eng. to handle)

- 20. Consider application for a permit to allow landing, planter, and 8-foot high screen wall to encroach onto 10th Street sidewalk at Cook Market Place.
(Memo with agenda. Resolution denying encroachment, or authorizing staff to issue encroachment permit needed.)

ACTION: Res. 84-649 adopted (Lang/Patterson, unan., Bright absent) approving an encroachment permit. (Eng. to handle)

MISCELLANEOUS

- 21. Appointments

None

- 22. MATTERS TOO LATE FOR THE AGENDA

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

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, SEPTEMBER 18, 1984, 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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 16, 17, 18, 19, 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.)

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by Verne Olson, District Manager of A.A.A.
Verne Olson presented an award of merit for pedestrian safety in Modesto.

Announcement regarding bus service to Amtrak.

Mayor Mensinger announced that the bus service connecting with Amtrak trains will start on October 1.

CONSENT

MINUTES

2. Approval of the minutes of the September 11, 1984, regular City Council meeting.
(Motion adopting needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of Ord. No. 2287-C.S. rezoning from P-D(311) to R-1, property located on the southeast corner of Floyd Avenue and Oakdale Road (Ross Briles).
(Motion adopting needed.)

ACTION: By motion, ordinance adopted.

(Clerk to handle)

HEARINGS

4. Report by Superintendent of Streets on the cost of residential alley resurfacing - Nine alleys.

Mayor Mensinger excused due to a conflict of interest.

BLOCK 812

YALE-HARVARD/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Mary H. Cunningham Jones	Por.	\$495.50
<u>ACTION:</u> Res. 84-650 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		508.48
Paul R. Wyatt	Por.	508.48
<u>ACTION:</u> Res. 84-651 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		446.22
Roger D. Wickman	Por.	446.22
<u>ACTION:</u> Res. 84-652 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		360.00
Ralph C. Beckwith	Por.	360.00
<u>ACTION:</u> Res. 84-653 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		395.51
Stephen A. Salvo	Por.	395.51
<u>ACTION:</u> Res. 84-654 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		380.30
Dale G. Fredenburg	Por.	380.30
<u>ACTION:</u> Res. 84-655 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		365.09
Lynne Fenderson	Por.	365.09
<u>ACTION:</u> Res. 84-656 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		496.92
Alfred A. Hamaway	Por.	496.92
<u>ACTION:</u> Res. 84-657 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		481.71
Gregory S. Benes	Por.	481.71
<u>ACTION:</u> Res. 84-658 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		496.92
Ronald L. Champion	Por.	496.92
<u>ACTION:</u> Res. 84-659 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Patricia H. Honey	Por.	431.01
<u>ACTION:</u> Res. 84-660 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	5	348.25
Marvin A. Truman		
<u>ACTION:</u> Res. 84-661 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	6	339.84
James Von Dohlen		
<u>ACTION:</u> Res. 84-662 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	7	449.67
Anna O. Michael		
<u>ACTION:</u> Res. 84-663 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 813 PRINCETON-YALE/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Judy R. McArthur	Por.	\$594.38
<u>ACTION:</u> Res. 84-664 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		418.11
George S. Kounias	Por.	
<u>ACTION:</u> Res. 84-665 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		456.62
Gerald M. Kouacs	11	
<u>ACTION:</u> Res. 84-666 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		456.62
Stanford Cushway	7	
<u>ACTION:</u> Res. 84-667 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 820 STANFORD-PRINCETON/COLLEGE-MILLS

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Warner A. Benthall	9	\$355.62
<u>ACTION:</u> Res. 84-668 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		337.69
Frank J. Capps	10	
<u>ACTION:</u> Res. 84-669 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		566.10
Harold L. Hutchinson	Por.	
<u>ACTION:</u> Res. 84-670 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		542.42
John W. Crosby	Por.	
<u>ACTION:</u> Res. 84-671 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		361.63
Charles J. Peluso	14	
<u>ACTION:</u> Res. 84-672 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		361.63
George W. Lawrence	15	
<u>ACTION:</u> Res. 84-673 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Lawerence S. Jacobsen	16	361.63
<u>ACTION:</u> Res. 84-674 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Jack Robinson	1	361.63
<u>ACTION:</u> Res. 84-675 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Charles L. Duchscher	17	361.63
<u>ACTION:</u> Res. 84-676 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Agnes M. Salter Trust	2	361.63
<u>ACTION:</u> Res. 84-677 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Mary A. Murray	3	361.63
<u>ACTION:</u> Res. 84-678 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Raymond G. Oberlin	Por.	381.95
<u>ACTION:</u> Res. 84-679 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Janice M. Kline	Por.	518.19
<u>ACTION:</u> Res. 84-680 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Jeffery C. Davis	Por.	511.74
<u>ACTION:</u> Res. 84-681 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
<u>BLOCK 1206/1205 PAULETTE-MORENE/COOLIDGE-BRIGGSMORE</u>		

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Administrator of Veterans Affairs	12	382.61
<u>ACTION:</u> Res. 84-682 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Justice Cooper	13	558.81
<u>ACTION:</u> Res. 84-683 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Dorothy M. Mellor	14	72.89
<u>ACTION:</u> Res. 84-684 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Claire Price	8	370.61
<u>ACTION:</u> Res. 84-685 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Robert J. Wagner	9	362.01
<u>ACTION:</u> Res. 84-686 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Robert C. Volz	10	362.01
<u>ACTION:</u> Res. 84-687 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Mary E. Smith	11	366.14
<u>ACTION:</u> Res. 84-688 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Vincent S. Camarda	1	72.89
<u>ACTION:</u> Res. 84-689 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Robert W. Bradley	Por.	483.68
<u>ACTION:</u> Res. 84-706 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Ruth I. Morgan	Por.	350.28
<u>ACTION:</u> Res. 84-707 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Gerald W. Peterson	1	350.28
<u>ACTION:</u> Res. 84-708 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 3088 SUTTER-PLACID/ROUSE-ELSIE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Gloria A. Bowman	10	\$324.04
<u>ACTION:</u> Res. 84-709 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Frances L. Leivas	9	283.02
<u>ACTION:</u> Res. 84-710 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Juan Gonzales	8	283.02
<u>ACTION:</u> Res. 84-711 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Wilford Wayne Carraway	7	283.02
<u>ACTION:</u> Res. 84-712 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Dean L. Baker	6	278.06
<u>ACTION:</u> Res. 84-713 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Angel G. Duran	5	278.06
<u>ACTION:</u> Res. 84-714 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
William L. McWilliam	4	278.06
<u>ACTION:</u> Res. 84-715 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Billie J. Duncan	3	278.06
<u>ACTION:</u> Res. 84-716 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Jesse D. Bolton	2	295.29
<u>ACTION:</u> Res. 84-717 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Manuel Linares	1	343.80
<u>ACTION:</u> Res. 84-718 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Short Family Investment Co.	Por.	647.38
<u>ACTION:</u> Res. 84-719 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Ephraim Apolinar	Por.	520.32
<u>ACTION:</u> Res. 84-720 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Angelee Cobb	16	287.99
<u>ACTION:</u> Res. 84-721 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Doyle E. Hamman	15	287.99
<u>ACTION:</u> Res. 84-722 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
George H. Ford	14	287.99
<u>ACTION:</u> Res. 84-723 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Humberto R. Rodriguez	13	287.99
<u>ACTION:</u> Res. 84-724 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
E. J. Hyden	12	287.99
<u>ACTION:</u> Res. 84-725 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Harry H. Wheeler	11	316.74
<u>ACTION:</u> Res. 84-726 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
BLOCK 6018	CHERRYWOOD-ROSEBURG/DEL VALE-KEARNEY	

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Curtis C. Stonecipher	Por.	\$336.02
<u>ACTION:</u> Res. 84-727 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Earl E. Heath	Por.	349.86
<u>ACTION:</u> Res. 84-728 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Gary L. Jones	Por.	291.55
<u>ACTION:</u> Res. 84-729 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Richard H. Anderson	1	345.00
<u>ACTION:</u> Res. 84-730 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
James A. Handley	2	345.00
<u>ACTION:</u> Res. 84-731 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
George S. Riebe	3	345.00
<u>ACTION:</u> Res. 84-732 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Kathy H. Whaley	4	345.00
<u>ACTION:</u> Res. 84-733 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Ralph D. Hutchinson	5	340.15
<u>ACTION:</u> Res. 84-734 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Michael L. Evans	6	340.15
<u>ACTION:</u> Res. 84-735 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Howard Draper	7	350.59
<u>ACTION:</u> Res. 84-736 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Phillip G. Nisonger	8	342.82
<u>ACTION:</u> Res. 84-737 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Esther M. Olsen	9	345.00
<u>ACTION:</u> Res. 84-738 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Laverne D. Reynolds	10	345.00
<u>ACTION:</u> Res. 84-739 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Beryl Thompson	11	345.00
<u>ACTION:</u> Res. 84-740 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Wade M. Ridenhour	12	345.00
<u>ACTION:</u> Res. 84-741 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Lois Langston	13	345.00
<u>ACTION:</u> Res. 84-742 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Sharon L. Bump	14	345.00
<u>ACTION:</u> Res. 84-743 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Craig D. Hollingsworth	Por.	325.96
<u>ACTION:</u> Res. 84-744 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Ronald J. Richardson	Por.	349.86
<u>ACTION:</u> Res. 84-745 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Suburban Coastal Corporation	Por.	299.57
<u>ACTION:</u> Res. 84-746 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 6058

W. ORANGEBURG-MARIAN/MAGNOLIA-ALMA

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Charles J. Billington	5-11	\$894.02
<u>ACTION:</u> Res. 84-747 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
James MacMillan	1-4	438.33
<u>ACTION:</u> Res. 84-748 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
John L. Mensinger	Por.	536.41
<u>ACTION:</u> Res. 84-749 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Harold J. Kreutz	12-15	690.90
<u>ACTION:</u> Res. 84-750 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 6019

GLENWOOD-PEARL/DEL VALE-CARVER

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Reed H. Stevens	17	\$242.96
<u>ACTION:</u> Res. 84-751 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Lavern E. Shadduck	18	242.96
<u>ACTION:</u> Res. 84-752 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Nellie Leonard	19	242.96
<u>ACTION:</u> Res. 84-753 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Madora E. Hunt	20	242.96
<u>ACTION:</u> Res. 84-754 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Lela Costa	21	242.96
<u>ACTION:</u> Res. 84-755 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Lena Farley	22	242.96
<u>ACTION:</u> Res. 84-756 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
John E. King	23	242.96
<u>ACTION:</u> Res. 84-757 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
David E. Fanjul	24	242.96
<u>ACTION:</u> Res. 84-758 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Juana C. Zenteno	25	242.96
<u>ACTION:</u> Res. 84-759 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Gordon R. Nelson	26	242.96
<u>ACTION:</u> Res. 84-760 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Richard G. Snow	27	242.96
<u>ACTION:</u> Res. 84-761 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
George G. Saponas	6	242.96
<u>ACTION:</u> Res. 84-762 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Kathryn Evenson	7	242.96
<u>ACTION:</u> Res. 84-763 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
James J. Weakland	8	242.96
<u>ACTION:</u> Res. 84-764 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Mark J. Greenlee	9	242.96
<u>ACTION:</u> Res. 84-765 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
John L. Smith	10	242.96
<u>ACTION:</u> Res. 84-766 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Homer J. Hayes	11	242.96
<u>ACTION:</u> Res. 84-767 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Helen B. Spies	12	242.96
<u>ACTION:</u> Res. 84-768 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Richard C. Stasi	13	242.96
<u>ACTION:</u> Res. 84-769 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Linna M. Weldon	14	242.96
<u>ACTION:</u> Res. 84-770 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Mario Sisto, Sr.	15	242.96
<u>ACTION:</u> Res. 84-771 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Lloyd E. Loeb	16	242.96
<u>ACTION:</u> Res. 84-772 adopted (Lang/Muratore, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

5. Hearing to consider an amendment to P-D(275) to allow a condominium office project, property located on the west side of Coffee Road, south of Rumble Road. (Center State Holding Company)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2288-C.S. introduced.
Res. 84-773 adopted (same vote) amending P-D(275). (Clerk to handle)

6. Hearing to consider an amendment to P-D(234) to allow a child day care center for 156 children, property located at the northeast corner of Rumble and Sisk. (Kinder-Care Learning Centers, Inc.)

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2289-C.S. introduced.
Res. 84-774 adopted (same vote) amending P-D(234) (Clerk to handle)

7. Hearing to consider whether the City should issue:

(a) \$7,000,000 principal amount of multi-family rental mortgage revenue bonds for the purpose of providing financing to Gibraltar Community Builders for the acquisition of land and construction of 196-unit multi-family rental structure to be located on the northwest corner of Orangeburg Avenue and Lakewood Avenue; and

(b) \$5,000,000 principal amount of multi-family rental mortgage revenue bonds for the purpose of providing financing to Gibraltar Community Builders for the acquisition of land and construction of 116-unit multi-family rental structure to be located on the southeast corner of Briggsmore Avenue and Lakewood Avenue.

ACTION: Res. 84-775 adopted (Sutton/Whiteside, unan.) authorizing the issuance of bonds and providing other matters properly relating thereto. (Planning to handle)

8. Consider final approval of issuance of up to \$12 million of multi-family mortgage revenue bonds - Gibraltar Community Builders.

(Gibraltar Community Builders seeks final approval of a multi-family mortgage revenue bond issue to finance two projects totalling 312 apartment units to be located on Lakewood Avenue between Orangeburg Avenue and Briggsmore Avenue. Memo with agenda. Resolution authorizing the issuance, sale, and delivery of City of Modesto, California multi-family mortgage revenue bonds and providing other matters properly relating thereto needed.)

ACTION: Res. 84-776 adopted (Whiteside/Sutton, majority, Lang and Muratore-no) approving issuance of multi-family mortgage revenue bonds. (Planning to handle)

WRITTEN COMMUNICATIONS

9. Request of David Dolan for permission to use space fronting on 9th Street between K and L Streets and a portion of the Griswold and Wight building on October 13, 1984.

ACTION: By motion (Lang/Muratore, unan., Sutton, Whiteside, Mayor Mensinger absent) this item referred to staff for recommendation. (Manager to handle)

10.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Muratore reported the Governor had signed bills concerning a fare box ratio study and lowering the fare box ratio.

NEW BUSINESS

11. Discussion of potential uses and disposition of Lincoln School site.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan., Sutton, Whiteside, Mayor Mensinger absent)
approved staff recommendation. (Manager to handle)

12. Consider approving month-to-month agreement with Modesto Typewriter Company for the lease of 1015 K Street in Modesto in Block 66 of the Redevelopment Agency project.
(This is a renewal of an existing lease with Modesto Typewriter. Rent remains the same at \$1,230 per month with the tenants taking over maintenance of the roof. All other terms remain the same. The tenants have been leasing for over two years and have proved to be reliable. Resolution approving agreement needed.)

ACTION: Res. 84-777 adopted (Bright/Muratore, unan., Sutton, Whiteside, Mayor Mensinger absent) approving agreement. (Utility Services to handle)

13. Consider agreement with Craig Leavitt and Stephen Weaver, Inc. regarding the use and disposition of the building at 1125 - 11th Street.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-778 adopted (Muratore/Lang, unan., Sutton, Whiteside, Mayor Mensinger absent) approving agreement. (Utility Services to handle)

14. Transfer of City-owned property in the Modesto Redevelopment project area to Redevelopment Agency.
(Memo with agenda. Resolution authorizing City Manager to sign grant deeds needed.)

ACTION: A motion to approve the transfer failed to carry (Lang/Muratore, Patterson-no, Sutton, Whiteside and Mayor Mensinger absent)

15. Loan of City's Community Center budget reserve to the Redevelopment Agency.
(Memo with agenda. Resolution authorizing loan needed. Estimated cost: \$1,827,500; funds are budgeted.)

ACTION: A motion to approve the loan failed to carry (Lang/Muratore, Patterson-no, Sutton, Whiteside and Mayor Mensinger absent)

CONSENT

16. Consider proposed issuance of up to \$6 million of multiple-family mortgage revenue bonds - H & N Development.
(H & N Development Company has applied for multiple family mortgage revenue bonds to finance up to 195-unit apartment project to be located at the southwest corner of Sylvan Avenue and Hashem Drive. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by H & N Development Company needed, and resolution approving engagement of Jones, Hall, Hill, and White as bond counsel needed.)

ACTION: Res. 84-779 adopted authorizing the issuance of bonds.
Res. 84-780 adopted approving engagement of Jones, Hall, Hill and White.
(Planning to handle)

CONSENT

17. Set date for public hearing on proposed new cable communications franchise.

(October 9, 1984, at 7:30 p.m. is the suggested date and time for the hearing on proposed new cable communications franchise. Packets containing complete sets of franchise documents will be delivered to Councilmembers at the meeting of September 18, 1984. Resolution setting hearing October 9, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-781 adopted setting hearing date. (Clerk to handle)

CONSENT

18. Presentation of report reflecting the financial status of the City for the year ended June 30, 1984.

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

ACTION: By motion, receipt of report acknowledged.

CONSENT

19. Consider approving purchase agreement and lease agreement with Gomes Brothers, a partnership, and Joseph Gomes and Victor Gomes for the purchase of 145.27 (more or less) acres of their land and the lease of approximately 124 (more or less) acres of City property.

(Gomes Brothers has agreed to sell the required property for \$600,000. This is consistent with the City's appraisal. Also, as part of the consideration, the City will lease Victor and Joseph Gomes some excess land outside of the levee adjacent to the remote ponds. Memo with agenda. Resolution approving purchase agreement needed, and resolution approving lease agreement needed. Estimated total cost: \$610,000 (cost \$600,000; estimated escrow \$10,000); funds are budgeted.)

ACTION: Res. 84-782 adopted approving purchase agreement.

Res. 84-783 adopted approving lease agreement. (Utility Services to handle)

CONSENT

20. Consider approving lease agreement with Nicholas S. and Diane E. Bavaro for the lease of City-owned house at 536 N. Riverside, the former Hubert Scott property which was purchased for Dry Creek Park.

(This is a month-to-month agreement. Rental is \$350/month. The tenants will be responsible for maintenance. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-784 adopted approving lease agreement. (Utility Services to handle)

CONSENT

- 21 Consider abandonment of the 20-foot wide public utility easement in Block 13660 of the City of Modesto.

(Memo with agenda. Resolution vacating and abandoning the 20-foot public utility easement in Block 13660 needed.)

ACTION: Res. 84-785 adopted approving abandonment. (Eng. to handle)

CONSENT

- 22. Status report on the conversion of the Finance Department's computer system and request for authorization to enter into a agreement with Touche Ross & Co. extending services under the audit contract to evaluate and recommend accounting computer software for the City of Modesto. (Memo with agenda. Resolution approving agreement with Touche Ross & Co. needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: Res. 84-786 adopted approving agreement. (Finance to handle)

CONSENT

- 23. Consider accepting grant for play apparatus at Beyer Community Park. (The City has been awarded \$21,336 from the Federal Land and Water Conservation Fund Program for the above-mentioned project. Memo with agenda. Resolution accepting grant needed.)

ACTION: Res. 84-787 adopted accepting grant. (P.R. to handle)

CONSENT

- 24. Recommend to the City Council the vacation and abandonment of portions of Beech Street and Madison Street, west of 8th Street. (On September 4, 1984, the Planning Commission adopted Res. 84-144 recommending to the Council the vacation and abandonment of portions of Beech Street and Madison Street, west of 8th Street. Resolution setting hearing October 16, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-788 adopted setting hearing date. (Clerk to handle)

CONSENT

- 25. Consider adoption of an ordinance amending the Municipal Code to add procedures for the issuance and sale of revenue bonds for the waste water treatment plant. (Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2290-C.S. introduced. (Clerk 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.)

None

ADJOURNMENT

The meeting adjourned at 5:17 p.m.

ATTEST


NORRINE COYLE, City Clerk

September 25, 1984

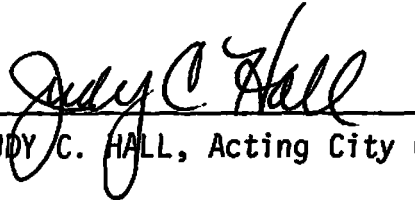
The meeting of the City Council was called to order at 7:30 p.m. in the City Council Chambers, City Hall, Modesto, California, by Vice Mayor Richard Patterson.

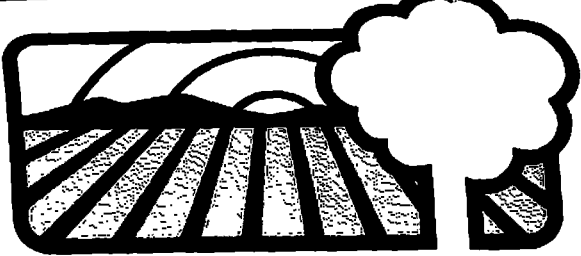
Present: Vice Mayor Patterson

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

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

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 2, 1984, 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: Rev. J. Pritchard Amstutz, Memorial Hospital

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13,
14, 17, 20, 21, 22, 23, 24, 25, 26,
27, 28, 29, 30, 31, 32, 33, 34, 35,
36, 37

ACTION: (Lang/Whiteside, 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 September 18, 1984, 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. 2288-C.S. amending P-D(275) to allow a condominium office project, property located on the west side of Coffee Road, south of Rumble Road. (Center State Holding Company)
- b. Ord. No. 2289-C.S. amending P-D(234) to allow a child day care center, property located at the northeast corner of Rumble and Sisk. (Kinder-Care Learning Centers, Inc.)
- c. Ord. No. 2290-C.S. amending the Municipal Code to add procedures for the issuance and sale of revenue bonds for the waste water treatment plant expansion project.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing of Necessity to acquire property of the following for Dry Creek Park:

a. Joseph N. Sciabica

Portion of Assessor's Parcel No. 34-13-3
Portion of Assessor's Parcel No. 108-03-1

ACTION: Res. 84-789 adopted (Muratore/Lang, unan., Mayor Mensinger absent) acquiring property. (Atty to handle)

b. Della Ferrell

Portion of Assessor's Parcel No. 34-13-2

ACTION: Res. 84-790 adopted (Muratore/Lang, unan., Mayor Mensinger absent) acquiring property. (Atty to handle)

c. E. Lois Allen

5' piece of property

ACTION: Res. 84-791 adopted (Muratore/Lang, unan., Mayor Mensinger absent) acquiring property. (Atty to handle)

5. Appeal of Chevron U.S.A., Inc. to Board of Zoning Adjustment decision concerning an application for a Conditional Use Permit in the H-1 Zone to allow construction of a pay booth and to expand fuel dispensing facilities for the service station at the northeast corner of McHenry Avenue and Robin Hood Drive.

ACTION: Res. 84-792 adopted (Whiteside/Sutton, majority; Muratore-no; Mayor Mensinger absent) granting appeal overruling Board of Zoning Adjustment decision and certifying review of Environmental Assessment. (Planning to handle)

6. Appeal of Mid-Valley Engineering, on behalf of John Wylie, to a Planning Commission decision denying an application to rezone from R-1 to R-2, property located at the northwest corner of Woodland Avenue and Rosemore Avenue.

ACTION: Res. 84-793 adopted (Whiteside/Lang, unan., Mayor Mensinger absent) denying appeal, upholding Planning Commission decision, and certifying review of Environmental Assessment.

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids to install traffic signals on Sylvan Avenue at Dragoo Park Drive and on Standiford Avenue at both Colonial Drive and Conant Avenue.
(Memo with agenda. Suggested bid opening: October 30, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$150,000; funds are budgeted.)

ACTION: Res. 84-794 adopted calling for bids. (P.T. to handle)

CONSENT

8. 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. 45.
(Suggested bid opening: October 23, 1984, at 11:05 a.m. Well No. 45 is located south of E. Orangeburg Avenue on Fara Biundo Drive. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$23,552 (contract \$21,352; engineering \$2,200); funds are budgeted.)

ACTION: Res. 84-795 adopted calling for bids. (Eng. Serv. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the reroofing of house located at 2845 Lincoln Avenue, and consider approval of an appropriation transfer of \$12,000 to pay for the new roof.
(Suggested bid opening: October 23, 1984, at 11:00 a.m. This project consists of reroofing a City rental house located on a future park site. Memos with agenda. Resolution approving plans and specifications and call for bids needed, and resolution approving appropriation transfer needed. Estimated cost: \$12,000 (contract \$10,900; engineering \$1,100).

ACTION: Res. 84-796 adopted calling for bids.
Res. 84-797 adopted approving appropriation transfer. (Eng. Serv. to handle)

CONSENT

10. Consider authorizing City of Modesto to participate in call for bids to hire a telecommunications consultant.
(Memorandum with agenda. Resolution authorizing the City of Modesto to participate in call for bids to hire a telecommunications consultant needed. Estimated cost: \$30,000; funds are budgeted in 84-85 C.I.P.)

ACTION: Res. 84-798 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider the following:

- a. Declaring National Car Rental low bidder and authorize the purchase of two 4-door detective sedans and six 2-door detective sedans for the total price of \$74,158.
- b. Amending the 84-85 budget and appropriate funds from Retained Earnings in the Service Division Fund 72.

(Memorandum with agenda. Resolution authorizing purchase of equipment needed, and resolution amending budget needed. Funds are budgeted.)

ACTION: Res. 84-799 adopted awarding bid to National Car Rental.

Res. 84-800 adopted amending the 1984-85 budget. (Finance to handle)

CONSENT

12. Consider acceptance of Strata Construction's contract for the construction of Ekins and Gagos subtrunk sewer. (Original contract: \$98,090.)

(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: \$98,490; funds are budgeted.)

ACTION: Res. 84-801 adopted accepting work as complete. (Eng./Clerk to handle)

CONSENT

13. Consider acceptance of The Flintkote Company's contract for the reconstruction of 7th Street from "G" Street to 7th Street Bridge. (Original contract: \$66,289).

(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: \$67,068.26; funds are budgeted.)

ACTION: Res. 84-802 adopted accepting work as complete. (Eng./Clerk to handle)

CONSENT

14. Consider approval of substitution of New Line Striping as the traffic striping and pavement marking subcontractor for the asphalt concrete overlays - various streets, 1984-85 project, as requested by the prime contractor, The Flintkote Company.

(The prime contractor states the reason for the substitution is that the listed striping subcontractor, L & P Striping, does not have a valid contractor's license. L & P Striping has been notified of the proposed substitution in conformance with the Government Code and has not submitted written objection to the substitution. Letters with agenda. Resolution approving substitution of New Line Striping for L & P Striping needed.)

ACTION: Res. 84-803 adopted approving substitution. (Eng. to handle)

WRITTEN COMMUNICATIONS

15. Letter from Modesto Chamber of Commerce requesting resolution of support for the Economic Development Corporation. financial support in the amount of \$250, and that the City of Modesto name a representative to the Economic Development Corporation.

ACTION: Res. 84-804 adopted (Lang/Whiteside, unan., Mayor Mensinger absent) supporting Economic Development Corporation.
By motion (same vote) approved request for \$250 and indicated intent to designate representative.

16. Letter from Modesto Chamber of Commerce regarding their Convention and Visitors Bureau and requesting additional \$25,000 for fiscal year 1984-85.

ACTION: By motion (Sutton/Lang, unan., Mayor Mensinger absent) approved request for additional \$25,000. (Finance to handle)

CONSENT

17. Request by William F. King, Modesto Detachment, Marine Corps League, for assistance with the Veterans Day parade on November 12, 1984.
(Resolution approving request needed. Estimated cost: \$424; funds are budgeted.)

ACTION: Res. 84-805 adopted approving request. (Police to handle)

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

None

NEW BUSINESS

19. Consider introducing an ordinance to amend Chapter 5 of Title VI of the Modesto Municipal Code relating to secondhand jewelry dealers.
(The current City ordinance has been pre-empted by State law. This amendment will regulate only secondhand jewelry dealers not included in the present State law regulating pawn brokers. Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent) Ord. No. 2291-C.S. introduced. (Police/Atty. to handle)

CONSENT

20. Consider authorizing the City Manager to execute an indemnity and hold harmless agreement and release with the City of San Mateo.
(Two Modesto Police Officers have 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 indemnity and hold harmless agreement and release needed.)

ACTION: Res. 84-806 adopted approving agreement. (Police to handle)

CONSENT

21. Consider excusing Councilmembers Bright, Lang, Muratore, Sutton, Whiteside and Mayor Mensinger for being absent on September 25, 1984, due to their attendance at the annual League of California Cities conference.
(Motion excusing absence needed.)

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

CONSENT

22. Consider granting easement for electrical facilities to Modesto Irrigation District.
(MID has requested the City grant them an easement in the parking lot next to Western Title so they can underground their overhead facilities in the alley in this block. Memo with agenda. Resolution authorizing City Manager and City Clerk to execute easement deed needed.)

ACTION: Res. 84-807 adopted approving easement. (Utility Services to handle)

CONSENT

23. 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 agreement. All terms remain the same. Rents are established by resolution of the Council. Resolution approving agreement needed.)

ACTION: Res. 84-808 adopted approving agreement. (Utility Services to handle)

CONSENT

24. Consider approving amendment to lease agreement with Esco Aviation for their lease at the airport.
(The purpose of this amendment is to change the method of paying for tie-downs and to extend Esco's lease for another year. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-809 adopted approving amended agreement. (Utility Services to handle)

CONSENT

25. Consider approving lease agreement with E. & J. Gallo Winery for Hangar No. 6 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. Resolution approving agreement needed.)

ACTION: Res. 84-810 adopted approving agreement. (Utility Services to handle)

CONSENT

26. Consider approving lease agreement with Mark Richards, Rule Enterprises, Inc., Jim Van Heukelem, and Racor Industries, Inc., dba Skytrek Aviation, for the lease of office building No. 1, Hangar No. 5, and tie-downs at the airport.
(This is a two-year renewal of an existing lease. All terms remain the same. Rent is established by resolution of the Council. Resolution approving agreement needed.)

ACTION: Res. 84-811 adopted approving agreement. (Utility Services to handle)

CONSENT

27. Consider approving three year lease with Theodore M. Cook for the lease of storage/office space at 500 9th Street to be used by the museum staff to solve a space problem.
(Under the terms of this lease, the City will lease this space for three years with an option to lease for three more years. The City will pay \$575 per month plus utilities. This was the best site found in terms of cost and location for its intended purpose. Resolution approving agreement needed. Estimated total cost: \$7,475 (deposit \$575; 1st year \$6,900); funds are budgeted.)

ACTION: Res. 84-812 adopted approving agreement. (Utility Services to handle)

CONSENT

28. Consider approving agreement with Crocker National Bank for the purchase of 5,000 (more or less) square feet of their property in the east half of Block 69, City Hall Block, and approve transfer of \$90,000 from reserve. (Crocker Bank has agreed to sell the required property for the appraised value of \$85,000. This purchase will mean the City will own the entire east half of the City Hall Block. Memo with agenda. Resolution approving agreement needed, and resolution amending budget needed. Estimated total cost: \$90,000 (cost \$85,000; est. escrow \$5,000); funds are budgeted.)

ACTION: Res. 84-813 adopted approving agreement.
Res. 84-814 adopted amending budget. (Utility Services to handle)

CONSENT

29. Consider approving amendment to lease agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer for their lease at the airport.
(The purpose of this amendment is to change the method of paying for tie-downs and to extend their lease for another year. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-815 adopted approving agreement. (Utility Services to handle)

CONSENT

30. Consider approving agreement with Larry Luke for the lease of the City-owned house at 660 El Vista which was purchased for Dry Creek Park. (The agreement is a month-to-month agreement with Mr. Luke paying \$400 per month and all utilities. Mr. Luke, in consideration for a rent reduction will paint the interior of the house. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-816 adopted approving agreement. (Utility Services to handle)

CONSENT

31. Consider approving agreement with M.I.D. that provides for 50-50 sharing of costs to repair irrigation conduits that cross City streets.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-817 adopted approving agreement. (Utility Services to handle)

CONSENT

32. Consider approving the submission of the application for federal funding of the Regional Airport Study and authorize the City Manager to sign the application on behalf of the City; and approve an appropriation transfer of \$3,000 for the City's matching share of the project costs.
(Memo with agenda. Resolution approving submission of application needed, and resolution approving appropriation transfer needed.)

ACTION: Res. 84-818 adopted approving submission of application.

Res. 84-819 adopted approving appropriation transfer. (Utility Services to handle)

CONSENT

33. Consider authorizing a public auction on October 20, 1984, to sell surplus, lost and stolen properties and consider authorizing the closure of the 200 block of Chestnut Street to traffic on October 20, 1984.
(Memorandum with agenda. Resolution authorizing public auction needed, and resolution authorizing street closure needed.)

ACTION: Res. 84-820 adopted authorizing public auction.

Res. 84-821 adopted authorizing street closure. (Finance to handle)

CONSENT

34. Presentation of monthly financial statement for August, 1984, and presentation of Treasurer's Report for August, 1984.
(Copies of reports with agenda. Motion acknowledging receipt of reports needed.)

ACTION: By motion, receipt of reports acknowledged. (Finance to handle)

CONSENT

35. Consider approving agreements with Stanislaus Foundation for Medical Care to administer the City of Modesto's health and dental claims.
(Memorandum with agenda. Two resolutions approving agreements needed.)

ACTION: Res. 84-822 adopted approving agreement to administer health claims.

Res. 84-823 adopted approving agreement to administer dental claims.
(Mgmt. Services to handle)

CONSENT

36. Consider approval of the final map of Hillsboro Terrace 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. (Owners: Pelandale Road Ranch No. 1 and Pelandale Road Ranch No. 2).
(The subdivision agreement has been signed and all fees paid. Hillsboro Terrace is located south of Pelandale Avenue, east of Gagos Drive. It contains 9.85 acres. Resolution approving final map needed.)

ACTION: Res. 84-824 adopted approving final map. (Eng./Clerk to handle)

CONSENT

37. Consider acceptance of improvements in Orchard Grove subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Central Bank)
(Orchard Grove subdivision is located north of Merle Avenue about 3/4 mile east of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 84-825 adopted accepting improvements as complete. (Clerk to handle)

MISCELLANEOUS

38. Appointments

None

39.

MATTERS TOO LATE FOR THE AGENDA

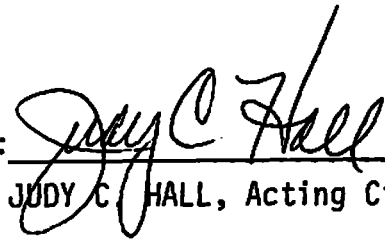
(These may be presented by members of the City Council and staff.)

None

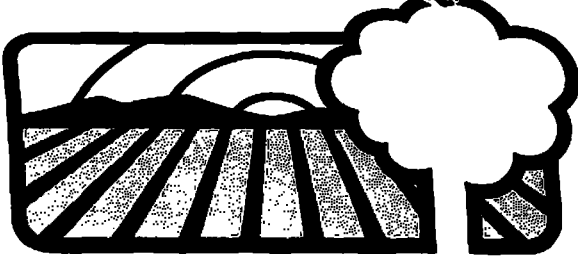
ADJOURNMENT

The meeting adjourned at 6:35 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 9, 1984, 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, 3, 8, 9, 10, 11, 12, 13, 15,
Dropped from agenda: 18 19, 20, 21, 22, 23, 25, 26,
Removed from Consent: 24 27, 29

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

Mayor Mensinger announced the City of Modesto was one of 38 recipients of the Federal Department of Energy's "Special Award for Energy Innovation - 1984" and had also received an award from Governor Deukmejian for its methane project.

CONSENT MINUTES

2. Approval of the minutes of the October 2, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

3. Final adoption of Ord. No. 2291-C.S. amending Chapter 5 of Title VI of the Modesto Municipal Code relating to secondhand jewelry dealers.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2291-C.S. adopted. (Clerk to handle)

HEARINGS

4. Hearing to consider the Houser Lane No. 2 Annexation to the City of Modesto.

ACTION: Res. 84-826 adopted (Lang/Muratore, unan.) annexing Houser Lane No. 2 Annexation.
(Clerk to handle)

5. Hearing on proposed new cable communications franchise.

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2292-C.S. introduced amending Code.
By motion (Whiteside/Sutton, unan.) Ord. No. 2293-C.S. introduced approving franchise.
(Clerk to handle)

6. Hearing to consider amendment to Section 25-3-9 of the Zoning Map to rezone from H-1 and P-0 to P-D(360) to allow a two story apartment complex, property located on the northeast corner of Yosemite Boulevard and Lincoln Avenue. (First City's America Resorts)

ACTION: By motion (Patterson/Sutton, majority, Bright, Lang, Muratore-no) Ord. No. 2294-C.S. introduced amending Zoning Map.
Res. 84-827 adopted (Patterson/Sutton, majority, Bright, Lang, Muratore-no) approving plan as recommended by the Planning Commission, adding the condition that a resident manager and three assistant managers are required to live on the premises.
Res. 84-828 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

7. Consider proposed issuance of up to \$9 million of multi-family mortgage revenue bonds - First City-Village Development.
(First City-Village Development has applied for multi-family mortgage revenue bonds to finance an approximately 336-unit apartment project to be located at the northeast corner of Yosemite Boulevard and Lincoln Avenue. Memo with agenda. Resolution authorizing the issuance of revenue bonds for the purpose of providing financing for multi-family rental housing development needed, and resolution authorizing engagement of Jones, Hall, Hill, and White as bond counsel needed.)

ACTION: Res. 84-829 adopted (Sutton/Whiteside, majority, Bright, Lang, Muratore-no) authorizing issuance of bonds.
Res. 84-830 adopted (same vote) authorizing engagement of bond counsel.
(Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the installation of Bellenita Park play apparatus.
(Suggested bid opening: October 30, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$18,997 (contract \$17,270; engineering \$1,727); funds are budgeted.)

ACTION: Res. 84-831 adopted calling for bids. (Eng. to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the installation of irrigation and landscaping in Lakewood Park.
(Bid opening: October 30, 1984, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$94,153 (contract \$85,594; engineering \$8,559); funds are budgeted.)

ACTION: Res. 84-832 adopted calling for bids. (Eng. to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened October 30, 1984, at 3:00 p.m. for furnishing one catch basin cleaner truck.
(Requested by the Utility Services Streets Division, the catch basin cleaner truck will be an additional unit that is needed to clean the growing number of rock wells that have become clogged from dirt and debris. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$137,000; funds are budgeted.)

ACTION: Res. 84-833 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened October 30, 1984, at 3:15 p.m. for furnishing one dry type distribution transformer.
(Requested by the Engineering Services Department, the unit will replace three liquid-filled transformers in Substation A at the wastewater treatment plant. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 84-834 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider award of contract for the construction of the American Legion Hall deck.
(Bids were opened on October 2, 1984. The low bid of \$75,409.29, submitted by B & L Builders, Inc., is 9.63 % below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to B & L Builders, Inc. needed. Memo and bid tabulation with agenda. Funds are budgeted.)

ACTION: Res. 84-835 adopted awarding contract. (Eng. to handle)

CONSENT

13. Consider acceptance of Modesto Paving, Inc.'s contract for Replacement of curb, drive aprons and sidewalks at various locations - Project No. 14.
(Original contract: \$24,625)
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Memo with agenda. Final cost: \$30,636.50; funds are budgeted.)

ACTION: Res. 84-836 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

14. Letter from representatives of the La Loma neighborhoods regarding traffic on La Loma Avenue.

ACTION: By motion (Lang/Muratore, unan.) a detailed traffic study of the La Loma neighborhood was approved, to include direct involvement of La Loma residents.
(Planning and P/T to handle)

CONSENT

15. Request by Downtown Improvement District for the use of downtown sidewalks for a sidewalk sale Wednesday, October 17th through Saturday, October 20th.
(Motion approving request needed.)

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

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

None

NEW BUSINESS

17. Recommendation for Ken Diehl's Housing Density Bonus request and recommendation to pursue a City Density Bonus Policy.
(In accordance with State law, staff recommends Ken Diehl be given a housing density bonus of one unit in exchange for one rental unit affordable to a very low income household. Also recommended is that Council direct staff to develop a housing density policy with input from local housing groups. Memo and attachments with agenda. Resolution approving housing density bonus for Ken Diehl needed; motion directing staff to develop a Density Bonus Policy needed; motion directing staff to prepare agreement with Housing Authority for monitoring needed Estimated cost: \$180 for 10 years (\$18/year); funds are budgeted.)

ACTION: Res. 84-837 adopted (Whiteside/Sutton, unan.) approving bonus.
By motion (same vote) staff directed to develop Density Bonus Policy.
By motion (same vote) staff directed to prepare agreement with Housing Authority.
(Planning to handle)

CONSENT

18. Consider adoption of resolution approving preliminary form of official statement and trust indenture relating to Wastewater Treatment Facility Revenue Bonds.
(Memorandum with agenda. Resolution needed.)

Dropped from agenda.

CONSENT

19. Consider final approval of issuance of up to \$6.5 million of multi-family mortgage revenue bonds - Valley Oak.
(Valley Oak Associates seeks final approval of a multi-family mortgage revenue bond issue to finance Valley Oak Apartments, a 208-unit multi-family development to be located on Oakdale Road south of Floyd Avenue, P-D(352). Memo with agenda. Resolution authorizing the issuance, sale and delivery of multi-family rental housing revenue bonds (Valley Oak Project) and providing other matters properly relating thereto needed.)

ACTION: Res. 84-838 adopted authorizing issuance, sale and delivery of bonds.
(Planning to handle)

CONSENT

20. Consider executing a maintenance agreement with Stanislaus County for the 60-inch outfall sewer line where it crosses county road right of way. (Stanislaus County requires that we sign a Maintenance Agreement to provide all future maintenance on the 60-inch outfall line where it crosses County roadways. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-839 adopted approving agreement. (Utility Services to handle)

CONSENT

21. Annual report of Affirmative Action for the City of Modesto. (Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider renewal of agreement with Nancy M. Young, Executive Director, Downtown Improvement District. (This is the fourth renewal of an existing annual agreement. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$30,000; funds are budgeted.)

ACTION: Res. 84-840 adopted approving agreement. (Planning to handle)

CONSENT

23. Consider approving agreement with The Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter Day Saints for water main reimbursement of 520 feet of water main in Dale Road, north of Pelandale. (This agreement provides for reimbursement of 520 feet of water main in Dale Road, north of Pelandale. Water main connection charges collected from properties which connect directly to the water main on Dale Road will be refunded to the owner to cover their cost of installation. Resolution approving agreement needed.)

ACTION: Res. 84-841 adopted approving agreement. (Eng. to handle)

CONSENT

24. Consider approving resolution stating the policy of the City to provide access to all City functions and facilities to people with disabilities. Memorandum with agenda. Resolution needed.)

ACTION: Res. 84-842 adopted (Sutton/Lang, unan.) stating policy.
By motion (same vote) City Manager authorized to sign an assurance of compliance. (Mgmt. Services to handle)

CONSENT

25. Consider raising the surety bond coverage for the Assistant City Clerk from \$25,000 to \$50,000. (Memo with agenda. Motion introducing an ordinance amending Section 2-4.101 of the Modesto Municipal Code needed. Estimated cost: \$100; funds are budgeted.)

ACTION: By motion, Ord. No. 2295-C.S. introduced. (Clerk to handle)

CONSENT

- 26. Approve appropriation transfer to finance the Chamber of Commerce's requests for funding support approved at October 2, 1984, Council meeting. (Memo with agenda. Resolution approving appropriation transfer needed. Estimated cost: \$25,250.)

ACTION: Res. 84-843, adopted approving appropriation transfer. (Finance to handle)

CONSENT

- 27. Consider excusing Mayor Mensinger for being absent on October 2, 1984, due to her attendance the Energy and Emergency Preparedness Project Conference in Sacramento. (Motion excusing abences needed.)

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

After consideration of Item 27, the City Council will adjourn to a Redevelopment Agency meeting, and at the conclusion of considering Items A, B, C and D, will adjourn to the City Council meeting.

Meeting adjourned at 10:02 p.m., and reconvened at 10:08 p.m.

- 28. Consider Loan from City's Community Center Budget Reserve to the Redevelopment Agency. (Memo with agenda. Resolution authorizing loan needed. Estimated cost: \$170,000; funds are budgeted.)

No action taken.

MISCELLANEOUS

CONSENT

- 29. Legislation - Governor's proclamation on Industrial Development Bond Law (HR 4170). (Staff recommends contacting State legislators, the Governor and the State Treasurer to express our concern and contacting the League of California Cities with input for proposed legislation. Memo and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff 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.)

None

ADJOURNMENT

The meeting adjourned at 10:15 p.m.

(At the conclusion of the City Council meeting, the Redevelopment Agency will reconvene to consider Item E on the agenda.)

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 16, 1984, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger
Councilmember Muratore arrived at 4:05 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2,⁴7, 8, 9, 12, 13, 14,
15, 16, 17a, 17b

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced members of Webelos Den 9, Pack 5.

MINUTES

CONSENT

2. Approval of the minutes of the October 9, 1984 regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

Councilmember Muratore arrived at 4:05 p.m.

UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2294-C.S. rezoning from H-1 and P-0 to P-D(360) at the northeast corner of Yosemite Boulevard and Lincoln Avenue. (First City's America Resorts)
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, unan.) this item continued to November 13, 1984,
at 7:30 p.m. (Clerk to handle)

CONSENT

4. Final adoption of Ord. No. 2295-C.S. amending Section 2-4.101 of Chapter 4 of Title II of the Modesto Municipal Code relating to officers bonded.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2295-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider application of Bert and Deloures Bertolotti for a license to collect industrial and salvageable waste in the City of Modesto.
(Continued from the August 21, 1984, City Council meeting.)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2296-C.S. introduced.
(Clerk to handle)

6. Hearing on proposed vacation and abandonment of portions of Beech Street and Madison Street west of 8th Street.

ACTION: Res. 84-844 adopted (Patterson/Sutton, unan.) abandoning portions of Beech and Madison Street. (Planning/Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the extension of the Floyd Avenue waterline.
(Suggested bid opening: November 6, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$20,635 (contract \$17,850; engineering \$1,785); funds are budgeted.)

ACTION: Res. 84-845 adopted calling for bids. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

8. Request from United Nations Association for direct City assistance on 10-23-84 for a United Nations Day Commemoration in City Hall Court Yard.
(Motion approving request needed.)

ACTION: By motion, request approved. (P.R./Risk Manager to handle)

CONSENT

9. Resignation of Wanda Melson as Chairperson of Neighborhood Advisory Committee No. 3 and member of the Citizens Housing and Community Development Committee.
(Memo with agenda. The Citizens Housing and Community Development Committee accepted Ms. Melson's resignation as Chairperson on July 16, 1984. Resolution accepting resignation with regret needed.)

ACTION: Res. 84-846 adopted accepting resignation with regret. (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. Proposed Local Agency Formation Commission Bylaws and Policies.
(Memo with agenda. Staff urges that the City Council take a position regarding proposed bylaws and proposed policies. Staff finds the bylaws acceptable; staff recommends amendment to the rezoning provisions, city review provisions, and street and canal boundary provisions of the policies statement. Motion directing staff needed.)

ACTION: By motion (Whiteside/Bright, unan.) staff recommendations on rezonings and prior City approval were approved; and, concerning the "Streets" section, staff directed to recommend to LAFCO that boundaries be presumed to be on centerlines, that special circumstances would be considered for placement of boundaries other than on centerlines, and that the word "shall" be changed to "may" to make the provisions permissive rather than mandatory. (Planning to handle)

CONSENT

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

ACTION: By motion, receipt of report acknowledged.

CONSENT

- 13. Amend Classification Plan and Salary Resolution:

Delete the following:

Assistant City Attorney I & II
Engineering Computer Programmer
Senior Personnel Technician

Add the following:

Assistant City Attorney
Engineering Systems Manager
Personnel Analyst
Senior Deputy City Attorney I & II

Revise the following salary ranges:

Personnel Technician
Word Processing Trainee
Word Processing Technician
(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Estimated cost: \$6,783; funds are budgeted.)

ACTION: Res. 84-847 adopted amending Position Classification Plan.
Res. 84-848 adopted amending salary schedule. (Mgmt. Services to handle)

CONSENT

14. Amend vicious dog ordinance and repeal current ordinance.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2297-C.S. introduced. (Clerk to handle)

CONSENT

15. Adoption of urgency amendment to Section 10-2.505, Sideyard Easements.
(Part of subsection (d) of Section 10-2.505 was inadvertently when Ord. No. 2286-C.S. was recently adopted to allow use of a sideyard in the R-1 zone by an adjacent property owner. Memo with agenda. Motion introducing and adopting emergency ordinance needed.)

ACTION: By motion, Ord. No. 2298-C.S. introduced and adopted. (Clerk to handle)

CONSENT

16. Consider approving new City-County bus and Dial-A-Ride service agreement.
Memo with agenda. Among other changes, the agreement would consolidate the two existing City-County agreements for sharing costs of the City's bus and Dial-A-Ride services. There is no financial change. Resolution approving agreement needed.)

ACTION: Res. 84-849 adopted approving agreement. (P.T. to handle)

MISCELLANEOUS

17. Appointments

CONSENT

- a. Appointment of seven members of the Neighborhood Advisory Committee #3.
(Memo with agenda. The Citizens Housing and Community Development Committee met on July 16, 1984, and recommended Council approval of appointments to NAC #3. Resolution appointing seven members of the Neighborhood Advisory Committee #3 needed.)

ACTION: Res. 84-850 adopted appointing members. (Clerk to handle)
(New - William Covey, Doug Oliver; Reappointed - Sally Todaro, Leopold Prescott, Wanda Melson, Kathryn Salomon, and Doug Oliver)

CONSENT

- b. Appointment of the new Chairperson of Neighborhood Advisory Committee #3.
(Memo with agenda. The Citizens Housing & Community Development Committee recommended approval on July 16, 1984. Resolution appointing Sally Todaro to Seat 10 on the Citizens Housing and Community Development Committee needed.)

ACTION: Res. 84-851 adopted appointing Sally Todaro to Seat 10. (Clerk to handle)

c. Other

ACTION: Res. 84-852 adopted (Patterson/Whiteside, unan.) appointing members to the Farm-City Committee. (New - Homer Bowen, Carol Garlitz, and Richard Michel; Reappointed - Susan Montgomery and Mike Burns) (Clerk to handle)

20.

MATTERS TOO LATE FOR THE AGENDA

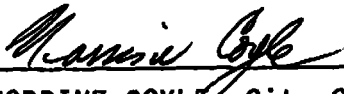
(These may be presented by members of the City Council and staff.)

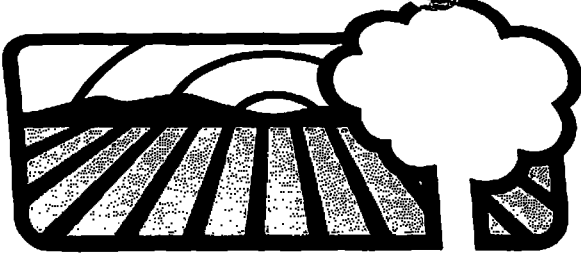
a. Modesto Mile Race

(Request by Omega Nu Society and Modesto Bee for Police assistance with traffic and crowd control during the Modesto Mile Race.)

ACTION: By motion (Whiteside/Muratore, unan.) request for City assistance with the Modesto Mile Race approved. (Police to handle)

The meeting adjourned at 5:20 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 23, 1984, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bright, Lang, Muratore, Patterson, Sutton,
Whiteside, Mayor Mensinger
Mayor Mensinger excused from meeting at 9:27 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Eddie Echevarria, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 10, 11A,
Dropped from agenda: 11 15, 16, 17, 19, 21, 22, 23,
Removed from Consent: 18,20 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.)

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by Jim Perez, Chairman of the Modesto Sister ^{City} Committee, concerning his trip to Vernon, British Columbia.

MINUTES

CONSENT

2. Approval of the minutes of the October 16, 1984, 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. 2292-C.S. relating to procedure for granting a cable communication system franchise in the City of Modesto.
- b. Ord. No. 2293-C.S. granting to Capital Cities Cable, Inc. a non-exclusive franchise to construct, operate and maintain a cable communication system within the City of Modesto.
- c. Ord. No. 2296-C.S. granting to Bertolotti Disposal, Inc. licenses for the collection of industrial garbage and salvageable waste in the City of Modesto.
- d. Ord. No. 2297-C.S. amending Code relating to vicious dogs.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider appeal of Fourth Leaf Developers to a Planning Commission decision denying an application to rezone from R-1 to P-D, for a one-story elderly housing complex, property located at the southwest corner of east Orangeburg Avenue and Nelson Avenue.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2299-C.S. introduced.

Res. 84-853 adopted (same vote) approving plan with fence to be included, and minimum age to be 62.

Res. 84-854 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

5. Hearing to consider an amendment to Section 15-3-9 of the Zoning Map to rezone from R-1 to P-D(362), property located at the east end of Gainsboro Place, south of Floyd Avenue and west of Oakdale Road. (James Price) This item was taken up after item 13.

ACTION: By motion (Whiteside, Patterson, unan.) Ord. No. 2300-C.S. introduced.

Res. 84-855 adopted (same vote) approving plan.

Res. 84-856 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the installation of security lighting in Sonoma Park and Sylvan Park. (Suggested bid opening: November 13, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$19,250 (contract \$17,500; engineering \$1,750); funds are partially budgeted. Appropriation transfer to be requested upon award of contract.)

ACTION: Res. 84-857 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of Units 2 and 3 of the Water Quality Control Plant Expansion Project.
(Suggested bid opening: December 13, 1984, at 3:00 p.m. This project will be the final phase of construction of various improvements at the Water Quality Control Plant under the E.P.A. Clean Water Grant Program. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$34,708,000 (construction \$31,660,000; engineering \$1,528,000, contingencies \$1,520,000; funds are budgeted.)

ACTION: Res. 84-858 adopted calling for bids. (Utility Serv. to handle)

CONSENT

8. Consider declaring Dow Hammond sole bidder and authorize the purchase of one garden refuse packer truck from the firm for the total price of \$84,685.52.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 84-859 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider authorizing the purchase of Wang word processing equipment noted in memo from Wang Laboratories for the total amount of \$115,128.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 84-860 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider declaring Modesto Datsun, Inc. low bidder and authorize the purchase of three light utility trucks from the firm for the total price of \$26,743.80.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 84-861 adopted authorizing purchase. (Finance to handle)

CONSENT

11. Consider authorizing the purchase of one offset printing press from A.B. Dick for the total purchase price of \$12,563, including trade-in.
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

Dropped from agenda

WRITTEN COMMUNICATIONS

CONSENT

- 11A. Request by Gallo Glass Company for abandonment of the alley in Block 217 between Jennie Street and Grand Avenue.
(Motion referring to Planning Commission needed.)

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

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Carmen Sabatino requested information concerning the Councilmembers' using the legal services of the Redevelopment Agency Attorney.

NEW BUSINESS

13. Consider adoption of a resolution authorizing issuance and sale of not to exceed \$11,800,000 principal amount of Waste Water Treatment Facility Revenue Bonds, Series 1984, authorizing execution and delivery of Indenture of Trust relating thereto, approving Official Statement and authorizing official action.

(Memo with agenda. Resolution authorizing issuance and sale of bonds needed, and resolution amending the budget needed.)

ACTION: Res. 84-862 adopted (Muratore/Sutton, unan.) authorizing issuance and sale of bonds.

Res. 84-863 adopted (same vote) amending budget. (Finance to handle)

14. Consider request from the Luckey Company to issue multi-family mortgage revenue bonds for a project they currently have under construction.

(Staff revenue bond finance committee questions mortgage revenue bond financing of completed projects. We suggest that multi-family mortgage revenue bond financing be extended only for projects not yet constructed. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Sutton/Patterson, unan.) staff directed to proceed with the application.

By motion (Lang/Sutton, majority, Patterson-no) staff directed to not process further applications until an in depth report has been made. (Planning to handle)

Mayor Mensinger excused from meeting at 9:27 p.m.

CONSENT

15. Consider authorizing asphalt concrete overlay on Carpenter Road from Paradise to Kansas.

(Memo with agenda. Resolution authorizing Director of Engineering to approve County change order needed. Estimated cost: \$58,211.76; funds are budgeted.)

ACTION: Res. 84-864 adopted authorizing Director of Engineering to approving County change order. (Eng. to handle)

CONSENT

16. Consider approving agreement with the Hertz Corporation for providing rental car services at the airport.

(This is a one-year renewal of an existing lease. Rental is 10% on cars rented at the airport with a \$3,600 minimum annually. Resolution approving agreement needed.)

ACTION: Res. 84-865 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Consider setting Hearing of Necessity to acquire 2,816+ acres of land from Hailwood, Inc. needed for the Wastewater Treatment Plant Expansion - irrigation project.

(Recommended hearing date is November 20, 1984 at 4:00 p.m. City staff only recently received State approval to acquire this property. An offer has been made but because of the magnitude of the offer, the owners need time to study the issue. However, the City needs possession of this property by March 1, 1985 and to meet this date must hold the hearing now. Resolution setting hearing needed.)

ACTION: Res. 84-866 adopted setting hearing. (Clerk to handle)

18. Consider request for funds for Modesto City-County Airport marketing program and terminal improvements.
(On August 28, 1984, the City Council authorized the Mayor to send a letter to the Civil Aeronautics Board advising of City's intention to develop a marketing program for local air service. Staff has prepared a draft Request for Proposals for City Council approval of an airline marketing program. In addition, staff recommends several improvements be made to enhance image of Modesto City-County Airport passenger terminal for air travelers. Resolution amending the budget to provide financing of staff recommendations needed. Estimated cost: \$50,000.)

ACTION: Res. 84-867 adopted (Muratore/Whiteside, unan.) amending budget.
Res. 84-868 adopted (same vote) approving requests for proposals
(Utility Services to handle)

CONSENT

19. Consider authorizing a policy for placement of portable hangars at the Modesto City-County Airport.

It is proposed that a policy for placement of portable privately-owned hangars at the Modesto City-County Airport be authorized and that a 180-day demonstration period be allowed. Memo with agenda. Resolution approving policy needed, and motions authorizing staff to prepare lease agreements and allowing a 180-day demonstration period needed.)

ACTION: Res. 84-869 adopted approving policy.

By motion, staff authorized to prepare lease agreements.
(Utility Services to handle)

20. Consider proposed agreement with Les Page for cable communication consulting services.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-870 adopted (Whiteside/Sutton, unan.) approving agreement.
(Mgr. to handle)

CONSENT

21. Consider authorizing grant application under the Roberti-Z'berg Urban Open Space Recreation Program for play apparatus at Lakewood and Sipherd Neighborhood Parks.

(For the State to accept the above grant application, the original resolution sent to the State must be revised. Memo with agenda. Resolution authorizing grant application needed.)

ACTION: Res. 84-871 adopted authorizing grant application. (P.R. to handle)

CONSENT

22. Consider authorizing grant application for funds under the California Parks and Recreational Facilities Act of 1984 - Regional Competitive Program, for the installation of sportsfield and security lighting at the athletic/amphitheater complex.

(Competitive grants are available through this program for regional parks. As Tuolumne River Regional Park meets the criteria, staff recommends application for \$103,500. The funds would be used to install sportsfield and security lighting at the regional park's athletic/amphitheater complex. The Tuolumne River Regional Park Committee has reviewed the application and recommends applying for the funds. Resolution authorizing grant application needed.)

ACTION: Res. 84-872 adopted authorizing grant application. (P.R. to handle)

CONSENT

23. Consider authorizing grant application for funds under the California Parks and Recreational Facilities Act of 1984 - Regional Competitive Program, for the construction of a bicycle pedestrian bridge from Mancini Park to Tuolumne River Regional Park.
(Competitive grants are available through this program for regional parks. As Tuolumne River Regional Park meets the criteria, staff recommends application for \$364,500. These funds would be used to construct a bicycle pedestrian bridge from Mancini Park to Tuolumne River Regional Park. The Tuolumne River Regional Park Committee has reviewed the application and recommends applying for the funds. Resolution authorizing filing of an application needed.)

ACTION: Res. 84-873 adopted authorizing filing of an application. (P.R. to handle)

CONSENT

24. Presentation of monthly financial statement for September, 1984, and Treasurer's Report for September, 1984.
(Copies of reports with agenda. Motion acknowledging receipt of reports needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

25. Legislation

a. Discussion concerning State ballot Proposition 36.

ACTION: Res. 84-874 adopted (Whiteside/Sutton, unan., Mayor Mensinger absent) opposing Proposition 36. (Atty. to handle)

26. Appointments

None

27.

MATTERS TOO LATE FOR THE AGENDA

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

Request of Craig Leavitt for "white elephant" sale on City property.

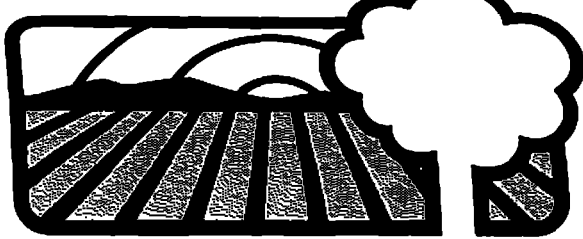
ACTION: Res. 84-875 adopted (Lang/Bright, unan., Sutton, Whiteside, Mayor Mensinger absent) approving a lease with Craig Leavitt, on behalf of Associated Designers of Modesto to hold a one-day "white elephant" sale on City-owned property on 11th Street. (Mgr. to handle)

There was a brief discussion concerning the Community Center.

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, NOVEMBER 6, 1984, 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. Robert Law, Ceres United Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21,
Dropped from agenda: 23 24, 25, 26, 27, 28, 29, 30

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

None

MINUTES

CONSENT

2. Approval of the minutes of the October 23, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Draft Code text amendment - Hot air balloons.
(Last spring, the Council directed staff to prepare a Code text amendment excluding advertising signs on hot air balloons from the sign regulations. Memo and draft with agenda. Motion directing staff needed.)

ACTION: By motion (Whiteside/Muratore, unan.) staff directed to proceed with the Code text amendment with a provision to be included concerning a limit on the number of times per year hot air balloons may be used. (Planning to handle)

4. Draft Code text amendment - Satellite antennas.
(Last summer, the Council directed staff to prepare a Code text amendment regarding the placement of satellite antennas on residential lots. Memo and draft with agenda. Motion directing staff needed.)

ACTION: By motion (Muratore/Lang, unan.) staff directed to work with the United Retail Satellite Antennas Assn. and other interested persons on developing a Code text amendment. (Planning to handle)

CONSENT

5. Final adoption of Ord. No. 2300-C.S. rezoning from R-1 to P-D(362) property located at the east end of Gainsboro Place, south of Floyd Avenue and west of Oakdale Road. (James Price)

ACTION: By motion, Ord. No. 2300-C.S. adopted. (Clerk to handle)

HEARINGS

6. Appeal of Mid-Valley Engineering, on behalf of Bennett & Compton, to a Planning Commission decision denying an application for an amendment to Section 2-3-8 of the Zoning Map to rezone from R-1 to P-D for a one and two story condominium complex and subdivision map, property located at the southeast corner of Pelandale Avenue and Honeycreek Road.

ACTION: By motion (Patterson/Bright, unan.) Ord. No. 2301-C.S. introduced, rezoning. Res. 84-876 adopted (same vote) granting appeal and approving plan.
Res. 84-877 adopted (same vote) certifying review of Environmental Assessment.
Res. 84-878 adopted (same vote) approving tentative subdivision map.
(Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approving specifications and authorize call for bids to be opened December 4, 1984, at 3:00 p.m. for furnishing one portable classroom.
(Requested by the Fire Department, the portable classroom will be located at Fire Station No. 4 on Bluegum Avenue where it will serve as facilities for fire training. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$35,000; funds are budgeted.)

ACTION: Res. 84-879 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened November 27, 1984, at 3:00 p.m. for furnishing one service van with aerial lift.
(Requested by the Utility Services Department Service Division, the unit will be pool equipment primarily used by the Electrical Division as a traffic signal service unit. It will provide preventative maintenance as well as emergency service for traffic signals and street light repair. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$29,000; funds are budgeted.)

ACTION: Res. 84-880 adopted calling for bids. (Finance 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. 45, located south of East Orangeburg Avenue on Fara Biundo.
(Bids were opened on October 23, 1984. The low bid of \$20,809.20, submitted by Osterberg and Stewart is 3% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract to Osterberg & Stewart needed. Funds are budgeted.)

ACTION: Res. 84-881 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider award of contract for the installation of Bellenita Park play apparatus.
(Bids were opened on October 30, 1984. The low bid of \$19,990, submitted by Conco-West, Inc., is 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 Conco-West, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-882 adopted awarding contract. (Eng. to handle)

CONSENT

11. Consider awarding contract to Collins Electrical to install traffic signals and street lighting at Sylvan Avenue and Dragoo Park Drive, at Standiford Avenue and Colonial Drive, and at Standiford Avenue and Conant Avenue.
(Memo with agenda. Collins was the lowest of eight bidders at \$127,200, 15% below our \$150,000 estimate. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 84-883 adopted awarding contract. (P.T. to handle)

CONSENT

12. Consider acceptance of Weaver's Tree Service contract for the clear zone tree topping or removal at Modesto City-County Airport. (Original contract: \$4,995)
(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: \$10,598.81; funds are budgeted.)

ACTION: Res. 84-884 adopted accepting work as complete. (Eng. to handle)

CONSENT

13. Consider acceptance of George Reed, Inc.'s contract for the construction of Dryden maintenance facility site work. (Original contract: \$35,437)
(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: \$39,822.91; funds are budgeted.)

ACTION: Res. 84-885 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of Flintkote's contract for the construction of temporary bus parking expansion. (Original contract: \$64,900)
(All work on this project has been completed to the satisfaction of the Engineering and Parking and Traffic 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: \$68,224.86; funds are budgeted.)

ACTION: Res. 84-886 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Clyde Wheeler Pipeline's contract for Ustick-Tudor-Waldo-Ironside waterline extension. (Original contract: \$26,697)
(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: \$24,777; funds are budgeted.)

ACTION: Res. 84-887 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of George Reed, Inc.'s contract for the reconstruction of Sunrise Avenue from Lucern to Briggsmore. (Original contract: \$187,108)
(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: \$197,785.39; funds are budgeted.)

ACTION: Res. 84-888 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider authorizing purchase order for \$7,250 to replace the roof at 2845 Lincoln Avenue.
(No formal bids were received by the City to replace this roof. Only one informal bid was submitted by A-1 Roofing Company. Since the roof needs to be repaired as soon as possible, staff recommends proceeding. Memo with agenda. Resolution waiving formal bid procedures and authorizing the issuance of a purchase order needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-889 adopted waiving formal bid procedures. (Utility Serv. to handle)

CONSENT

18. Consider waiving formal bid procedures and authorize the purchase of large lamps from the California State Department of General Services for the contract period for the estimated total of \$24,000.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of large lamps needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-890 adopted authorizing purchase. (Finance to handle)

CONSENT

19. Consider approval of plans and specifications and call for bids for reroofing Fire Prevention Bureau.
(Suggested bid opening: November 20, 1984, at 11:00 a.m. 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. 84-891 adopted calling for bids. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

20. Letter from Yev Philipovitch resigning from the Board of Building Appeals because he has moved from Modesto.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 84-892 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

21. Letter from Claus Fuhlendorf, President of City of Modesto Retirees, requesting a 4% increase in retirement benefits for employees who retired prior to January 1, 1981, as permitted by S.B. 659.
(Motion referring to staff for recommendation needed.)

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

22.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Councilmember Whiteside reminded people to vote.

NEW BUSINESS

CONSENT

23. Amend Resolution 84-838 authorizing sale of multi-family mortgage revenue bonds for the Valley Oak project.

(Resolution 84-838, adopted on October 9, 1984, gave final approval to issuance of bonds for the Valley Oak project. This amendment is needed to authorize a revised underwriter's discount. The revision has been agreed to by the developer and the underwriter. Resolution amending Resolution No. 84-838 to increase permitted discount on sale of bonds needed.)

Dropped from agenda.

CONSENT

24. Consider proposed issuance of up to \$4 million of multiple-family mortgage revenue bonds - Standiford Square Associates.

(Standiford Square Associates has applied for multiple-family mortgage revenue bonds to finance a multiple-family project of 140 units located on the northwest corner of Standiford Avenue and San Clemente Avenue. Resolution authorizing the issuance of bonds needed, and resolution approving engagement of Jones, Hall, Hill, and White as bond counsel needed.)

ACTION: Res. 84-893 adopted authorizing issuance of bonds.

Res. 84-894 adopted approving engagement of Jones, Hall, Hill, and White as bond counsel. (Planning to handle)

CONSENT

25. Consider approving lease agreement with Jack E. George, dba Creekside School for the lease of the former Goodwill School property which was purchased for Dry Creek Park.

(This is a one-year renewal of an existing lease. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 84-895 adopted approving agreement. (Utility Serv. to handle)

CONSENT

26. Set hearing regarding requirement for construction of curbs and/or sidewalks at 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 notices. Resolution setting hearing December 11, 1984, at 7:30 p.m. needed.)
- a. Sidewalk along Paradise Road at 1027 Paradise Road and 1000 Beverly Drive, a portion of Block 4014 (Eugene R. Abel)
 - b. Curb at 1405 Melrose Avenue, a portion of Block 1190 (Masrop A. Akers)
 - c. Curb at 1233 Fiori Avenue, Lot 4 of Block 1125 (William D. Ford)
 - d. Curb at 1217 Fiori Avenue, Lot 8 of Block 1125 (Geoff O. Lish)
 - e. Curb along Fiori Avenue at 521 E. Roseburg Avenue, Lot 9 of Block 1125 (Nisonger and Peterson)
 - f. Curb along Dawn Drive at 1312 Melrose Avenue, a portion of Block 1138 (Betty F. Schroder)

ACTION: Res. 84-896 adopted setting hearing. (Clerk to handle)

CONSENT

27. Consider acceptance of improvements in Cedarbrook subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Crocker National Bank) (Cedarbrook subdivision is located on the north side of Scenic Drive, west of Claus Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed. Memo with agenda.)

ACTION: Res. 84-897 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

28. Consider request for sewer service to property outside City limits at 627 and 627-1/2 Roselawn Avenue, located on the east side of Roselawn between Rouse Avenue and South Avenue. (Property owners: Gary R. & Millie A. Hansen, Michael Logson, and Alfred T. and Elizabeth Sarina) (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. 84-898 adopted approving agreement. (Eng. to handle)

CONSENT

- 29. Consider approving lease agreement with Aloma Lackey for the lease of 1343 Legion Park Drive, the Parkview Guesthome which was purchased for Tuolumne River Regional Park.
(This is a one-year renewal of an existing lease. Rent is increased from \$465 per month to \$490 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 84-899 adopted approving agreement. (Utility Serv. to handle)

CONSENT

- 30. Consider amending agreement with Modesto Building Maintenance for janitorial service at American Legion Hall to add additional duties and increase rate from \$98 per servicing to \$118 per servicing.
(Requested by the Tuolumne River Regional Park Division of the Parks and Recreation Department, the additional service will be performed at the American Legion Hall which the City rents for public and private functions each week. Services are contracted for the 1984-85 fiscal year with approximately 50 events remaining for which the hall will need servicing. Resolution approving amendment to agreement needed. Estimated additional cost: \$1,000 (November 1984 - June 1985); funds are budgeted.)

ACTION: Res. 84-900 adopted approving amendment to agreement. (Finance to handle)

MISCELLANEOUS

- 31. Appointments

None

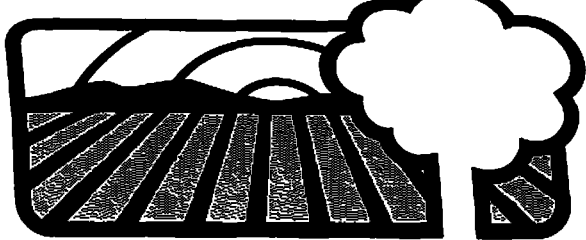
- 32. MATTERS TOO LATE FOR THE AGENDA
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 13, 1984, 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 Ollson, Neighborhood Church

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

ACTION: (Lang/Muratore, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger presented the City Council's letter of commendation to Debbie Brooks on being named "Miss Teen of America"

MINUTES

CONSENT

2. Approval of the minutes of the November 6, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of final adoption of Ord. No. 2294-C.S. rezoning from H-1 and P-0 to P-D(360) at the northeast corner of Yosemite Boulevard and Lincoln Avenue. (First City's America Resorts)
(Continued from October 16, 1984, City Council meeting.)

ACTION: By motion (Sutton/Patterson, majority, Bright, Lang, Muratore-no)
Ord. No. 2294-C.S. adopted. (Clerk to handle)

4. Analysis of the Multi-Family Mortgage Revenue Bond Program.
At its October 23, 1984, meeting, City Council directed staff to report on the multi-family mortgage revenue bond program, especially the very low income requirements. The report with agenda discusses the MFMRB program. Motion directing staff concerning the bond program needed.)
This item was considered after item 7.

ACTION: By motion (Patterson/Whiteside, unan.) Council determined that the multi-family revenue bond program would be continued.

By motion (Patterson/Bright, unan.) staff directed to recommend a policy to follow in determining whether or not the 10% very low income provision should be required. (Planning to handle)

CONSENT

5. Final adoption of Ord. No. 2299 rezoning from R-1 to P-D(363), property located at the southwest corner of East Orangeburg and Nelson Avenues (Fourth Leaf Developers).
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2299-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider proposed issuance of multiple-family mortgage revenue bonds for Price Development (Villeurbanne development at Rumble Road and Louann Drive), and consideration of lower-income housing requirements in connection with the bond issue.

ACTION: By motion (Muratore/Lang, majority, Whiteside, Mayor Mensinger-no) to accept the proposal, including the 20% low income but not to include the 10% very low income requirements. (Planning to handle)

7. Hearing to consider proposed issuance of multiple-family mortgage revenue bonds for JRH Capital Investment, (San Remo development on Coralwood east of McHenry), and consideration of lower-income housing requirements in connection with the bond issue.

ACTION: By motion (Muratore/Lang, majority, Whiteside, Mayor Mensinger-no) to accept the proposal, including the 20% low income, but not to include the 10% very low income requirements. (Planning to handle)

BIDS

CONSENT

8. Consider amending agreement with Continental Landscape Design and Maintenance for landscape maintenance services to continue to December 31, 1984, and consider approving specifications and authorize call for bids to be opened December 4, 1984, at 3:10 p.m. for furnishing landscape maintenance services.
(Memorandum with agenda. Resolution approving amendment to agreement needed, and resolution approving specifications and authorizing call for bids needed. Estimated cost: \$42,220; funds are budgeted.)

ACTION: Res. 84-901 adopted amending agreement.

Res. 84-902 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider declaring Graybar Electric Company low bidder meeting City specifications and authorize the purchase of one dry-type distribution transformer from the firm for the price of \$29,612.
(Memorandum with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 84-903 adopted authorizing purchase. (Finance to handle)

CONSENT

10. Consider acceptance of Conco West's contract for the construction of Tuolumne River Regional Park - Phase II. (Original contract: \$316,784)
(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. Final cost: \$326,963.82; funds are budgeted.)

ACTION: Res. 84-904 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

11. Letter from Joe Henderson, Downey Boosters Club, requesting an amendment to the Municipal Code section regarding bingo to allow the use of paper sheets.
Councilmember whiteside excused due to a conflict of interest.

ACTION: By order of the Chair, staff is to make a recommendation concerning the 1% fee to cover costs of enforcing the bingo ordinance.
(Police to handle)

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

None

NEW BUSINESS

13. Consider application by Mr. Gene Cox for an encroachment permit for an overhead cable between two buildings on either side of 13th Street. (Memo with agenda. Resolution denying or granting the encroachment permit needed.)

ACTION: Res. 84-905 adopted (Lang/Patterson, unan.) granting encroachment with the provision that when utility lines in the area are undergrounded, this line would be required to be undergrounded also.
(Eng to handle)

CONSENT

14. Consider abandonment of the Public Utility Easements in Blocks 218, 220 and 2321 of the City of Modesto. (Memo with agenda. Abandonment fee has been paid. Resolution vacating and abandoning the Public Utility Easements in Blocks 218, 220 and 221 needed.)

ACTION: Res. 84-906 adopted abandoning easements. (Eng to handle)

CONSENT

15. Consider approving lease agreement with The Regents of the University of California, Cooperative Extension, for the lease of a portion of the Lincoln School site. (This is a one-year renewal of the existing Community Garden on the Lincoln School site. All terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 84-907 adopted approving agreement. (Utility Serv to handle)

CONSENT

16. Consider the joint staff and Airport Advisory Committee report on Chamber of Commerce Aviation Subcommittee Survey of aircraft owners in Stanislaus County. (Each item of the Chamber of Commerce Aviation Subcommittee's survey of Stanislaus County aircraft owners has been addressed. Staff recommends City Council accept report and direct that the report be transmitted to the Chamber of Commerce. Memo with agenda. Motion acknowledging receipt of report and directing that the report be transmitted to the Modesto Chamber of Commerce needed.)

ACTION: By motion, receipt of report acknowledged, and staff directed to transmit the report to the Modesto Chamber of Commerce.
(Utility Services to handle)

CONSENT

17. Presentation of monthly financial statement and monthly Treasurer's Report for October, 1984. (Copies of the reports will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider LAFCO Questionnaire regarding the Briggs Avenue No. 2 Annexation to the City of Modesto.
(The uninhabited annexation proposal is located between Briggs Avenue and California Avenue west of Paradise Road and consists of three rural residential properties totaling 9.199 acres. Memo, map and questionnaire with agenda. Resolution responding favorably to proposed annexation needed.)

ACTION: Res. 84-908 adopted responding favorably to proposed annexation.
(Planning to handle)

CONSENT

19. Consider approval of agreement between the City of Modesto and Dennis Dahlin, Landscape Architect, to develop a landscape master plan for the McHenry Mansion landscape restoration project.
(The McHenry Mansion Foundation has reviewed several landscape architects' resumes and projects and recommends Dennis Dahlin to furnish the above services. The master plan shall include the following: planting plan, irrigation plan, paving and grading plan, identify outdoor structures and lighting and electrical guidelines. The cost of the service will be \$6,000 to the City. The Foundation will reimburse the City for the cost. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 84-909 adopted approving agreement. (P/R to handle)

CONSENT

20. Consider joining in two amicus curiae briefs in the following cases:

1. Kelly v. City of Fresno (Issue: Whether a police officer may remain silent in administrative interrogations concerning wrongdoing if there is a possibility of being charged with criminal misconduct for the same offense.)

2. City of Simi Valley v. Fair Employment and Housing Department (Issue: California Fair Employment and Housing Department administrative ruling which prohibits a city's antinepotism policy from prohibiting relatives from working in the same department.)

(Memo with agenda. Motion authorizing joining in as amici in the above amicus curiae briefs needed.)

ACTION: By motion, joining in amicus curiae briefs authorized.
(Atty to handle)

MISCELLANEOUS

21. Appointments

None

22.

MATTERS TOO LATE FOR THE AGENDA

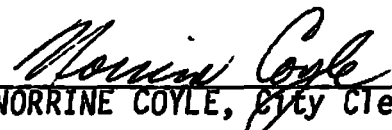
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 11:55 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 20, 1984, 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. Nick Guglielmo, Neighborhood Church

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

ACTION: (Bright/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

Members of Brownie Troop 288 presented Girl Scout calendars to the City Council.

MINUTES

CONSENT

2. Approval of the minutes of the November 13, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing of Necessity to acquire the property of Hailwood, Inc. which is needed for the wastewater irrigation project.

ACTION: Res. 84-910 adopted (Lang/Whiteside, unan.) to proceed with condemnation. (Utility Services to handle)

4. Hearing to consider proposed issuance of multiple-family mortgage revenue bonds for Snadowbrook Investments for a project located at Standiford Avenue and Hahn Drive, and consideration of lower-income housing requirements in connection with the bond issue.

ACTION: By motion (Lang/Muratore, unan.) this item continued to December 4, 1984, 4:00 p.m. at the request of Mid-Valley Engineering. (Clerk to handle)

5. Hearing to consider an amendment to P-D(88) to allow conversion of existing rental apartments to a condominium project, property located north and south of Kruger Drive, east of Granada Way. (R. K. Lowe)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2302-C.S. introduced. Res. 84-911 adopted (same vote) approving development plan. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the installation of air conditioning system at McHenry Mansion. (Suggested bid opening: December 11, 1984, at 11:05 a.m. This project will provide air conditioning to the McHenry Mansion and complete heating, ventilation and air conditioning system in the basement. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$86,000 (contract \$80,000; \$6,000); funds are budgeted.)

ACTION: Res. 84-912 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider installing flashing beacons on Paradise Road at Burbank School. (Memo with agenda. Beacons are warranted. Installation requires the following:
- 1) Approving cooperative agreement for 25% County cost sharing.
 - 2) Approving budget amendment.
 - 3) Approving plans and specifications and calling for bids to be opened December 11, 1984, at 11:00 a.m.
- Resolution approving cooperative agreement needed; resolution approving budget amendment needed; resolution approving plans and specifications and calling for bids needed. Estimated cost: \$15,000)

ACTION: Res. 84-913 adopted approving cooperative agreement with County.
Res. 84-914 adopted approving a budget amendment. (P.T. to handle)
Res. 84-915 adopted calling for bids.

CONSENT

8. Consider award of contract for the extension of Floyd Avenue water line. (Bids were opened on November 6, 1984. The low bid was submitted by two contractors. The bid of \$19,125 is 7.14% above the engineer's estimate and considered acceptable. After the flip of a coin, it has been determined that the contract be awarded to Conco-West, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Conco-West, Inc. needed. Funds are budgeted.)

ACTION: Res. 84-916 adopted awarding contract. (Eng. to handle)

CONSENT

9. Consider award of contract for the installation of security lighting in Sonoma Park and Sylvan Park. (Bids were opened on November 13, 1984. The low bid of \$15,257, submitted by Bowden Electric, is 11.55% below the engineer's estimate and considered acceptable. It is recommended by the Engineering and Parks and Recreation Departments that the contract be awarded to Bowden Electric. Memo and bid tabulation with agenda. Resolution awarding contract to Bowden Electric needed. Funds are budgeted.)

ACTION: Res. 84-917 adopted awarding contract. (Eng. to handle)

CONSENT

10. Consider acceptance of Pro Builders' contract for the construction of the caterer's kitchen at the McHenry Mansion. (Original contract: \$21,902.14) (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: \$21,515.84; funds are budgeted.)

ACTION: Res. 84-918 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider approval of substitution of New Line Striping as the traffic striping and pavement marking subcontractor for the general aviation vehicle parking area, as requested by the prime contractor, Granite Construction Company. (The prime contractor states that the reason for the substitution is that the listed striping subcontractor, L & P Striping, does not have a valid contractor's license. L & P Striping has been notified of the proposed substitution in conformance with the Government Code and has not submitted written objection to the substitution. Memos with agenda. Resolution approving substitution of New Line Striping for L & P Striping needed.)

ACTION: Res. 84-919 adopted approving substitution of subcontractor. (Eng. to handle)

CONSENT

- 12. Consider declaring Watts Equipment Company low bidder and authorize the purchase of one gas-powered forklift from the company for the amount of \$16,014. rejecting previous bids and (Memo with agenda. Resolution/authorizing the purchase of one gas-powered forklift from Watts Equipment Company needed. Funds are budgeted.)

ACTION: Res. 84-920 adopted rejecting previous bids and authorizing purchase from Watts Equipment Company. (Finance to handle)

WRITTEN COMMUNICATIONS

- 13. Letter from David Dolan requesting the scheduling of a presentation on the status of design of proposed Civic Center Project on behalf of interested local architects and the Culture Commission. Councilmembers Sutton, Whiteside and Mayor Mensinger excused due to a conflict of interest. No action taken.

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

None

NEW BUSINESS

CONSENT

- 15. Status report of the Data Processing Upgrading Plan; authorization to engage consulting services of Touche Ross & Co. to resolve major hardware related issues raised by the Data Processing Steering Committee. (Memo with agenda. Resolution approving agreement with Touche Ross & Co. for consulting services relating to computer systems needed. Estimated cost: \$18,000; funds are budgeted.)

ACTION: Res. 84-921 adopted approving agreement. (Finance to handle)

CONSENT

- 16. Consider participating in and sharing the cost of a County-wide waste composition analysis study. (The County-wide waste composition analysis study will: Determine the potential for increased recycling and materials recovery; examine the possibility of using municipal solid waste for waste-to-energy and/or composting; determine the attitudes of users toward recycling, composting, and other materials recovery programs. Memo with agenda. Resolution authorizing participation in the study needed, and resolution approving appropriation transfer needed. Estimated cost: \$8,406; funds are budgeted.)

ACTION: Res. 84-922 adopted authorizing participation in study.
Res. 84-923 adopted approving appropriation transfer. (Utility Services to handle)

CONSENT

- 17. Consider approving amendment to lease agreement with Donald H. and Margaret D. Scott for their lease of the former Bomberger property acquired for Dry Creek Park.
(Under the terms of their existing lease with the City, the Scotts are obligated to remove the peach trees on the property. The Scotts were unable to meet this obligation and have requested a one-month extension of the lease. This amendment provides for that extension. All other terms remain the same. Resolution approving amendment to agreement needed.)

ACTION: Res. 84-924 adopted approving amendment to agreement. (Utility Services to handle)

CONSENT

- 18. Consider approving amendment to lease agreement with Donald N. and Margaret D. Scott to eliminate the pasture area, and approving lease agreement with James E. and Susann A. Coleman for the pasture portion. (Dry Creek Park property)
(Memo with agenda. Resolution approving amendment to Scott lease agreement needed, and resolution approving lease agreement with the Colemans needed.)

ACTION: Res. 84-925 adopted approving amendment to agreement with Scott.
Res. 84-926 adopted approving agreement with Coleman. (Utility Services to handle)

CONSENT

- 19. Consider approving amendment to lease agreement with Joseph S. and Rozana Oliveira for their operation of the snack bar at the airport.
(This amendment adds a terminal office area to the Oliveira's lease and extends their lease for three more years. Memo with agenda. Resolution approving amendment to lease agreement needed.)

ACTION: Res. 84-927 adopted approving amendment to lease agreement. (Utility Services to handle)

CONSENT

- 20. Consider request of Anita Shops, Inc. for refund of overpayment of business license tax - \$1,701.32.
(Memo with agenda. Resolution approving refund of overpayment of business license tax needed.)

ACTION: Res. 84-928 adopted approving refund of overpayment of business license tax. (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.)

None

ADJOURNMENT

The meeting adjourned at 4:50 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

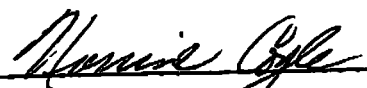
November 27, 1984

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

Present: Councilmember Lang

Absent: Councilmembers Bright, Muratore, Patterson, 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, DECEMBER 4, 1984, 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. John Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26

ACTION: (Lang/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the November 20, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Presentation of oral summary of the final report of the Ground Water Study, and consider directing staff to start the next phase of developing an alternate surface water supply system.
(Memo with agenda. Motion accepting final report and directing staff to proceed with formulation of a water supply agreement with M.I.D., Del Este Water Company, and the City of Ceres needed.)

ACTION: Res. 84-929 adopted (Whiteside/Muratore, unan.) accepting final report and directing staff. (Eng to handle)

CONSENT

4. Final adoption of:

Ord. No. 2301-C.S. rezoning from R-1 to P-D(365), property located at the southeast corner of Pelandale Avenue and Honey Creek Road (Bennett & Compton, Inc.)

Ord. No. 2302-C.S. amending P-D(88), located north and south of Kruger Drive, east of Granada Way (R.K. Lowe).

(Motion adopting needed.)

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

HEARINGS

5. 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 November 20, 1984, meeting.)

ACTION: By motion (Lang/Whiteside, unan.) hearing continued to January 15, 1985, at 4:00 p.m. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the replacement of eleven sectional steel roll-up doors at the corporation yard.
(Suggested bid opening: December 18, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$18,810 (contract \$17,100; eng. & cont. \$1,710); funds are budgeted.)

ACTION: Res. 84-930 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for grading and paving of Sipherd Park.
(Suggested bid opening: January 8, 1985, at 11:00 a.m. Resolution approving plans and specifications and bid call needed. Estimated cost: \$100,422.30 (contract \$91,293; eng. & cont. \$9,129.30); funds are budgeted.)

ACTION: Res. 84-931 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approving specifications and authorize call for bids to be opened January 8, 1985, at 3:00 p.m. for furnishing nineteen lifeguard chairs.
(Requested by the Recreation Division, the lifeguard chairs will provide a designated location for the safety and supervision of the wading pool areas and will increase staff visibility. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,825; funds are budgeted.)

ACTION: Res. 84-932 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorizing the call for bids for furnishing athletic and recreational equipment to be opened on January 8, 1985, at 3:05 p.m.
(The material will be used by the Parks and Recreation Department for the various adult and youth leagues and after school programs. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$14,200; funds are budgeted.)

ACTION: Res. 84-933 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider award of contract for Lakewood Park irrigation and landscaping.
(Bids were opened October 30, 1984. The bids were submitted with an Alternate No. 1 which is minus the trees. The low bid of \$70,494, submitted by Fries Corporation, is 10.31% below the engineer's estimate and considered acceptable. It is recommended by the Engineering and Parks and Recreation Departments that the contract be awarded to Fries Corporation. Memo and bid tabulation with agenda. Resolution awarding contract to Fries Corporation needed. Estimated cost: \$77,544 (contract \$70,494; eng. & contin. \$7,050); funds are budgeted.)

ACTION: Res. 84-934 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider authorizing the purchase of one catch basin cleaner truck from Dow Hammond for the total price of \$137,707.
(Memorandum with agenda. Resolution authorizing purchase of catch basin cleaner truck from Dow Hammond needed. Funds are budgeted.)

ACTION: Res. 84-935 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider declaring A. B. Dick low bidder meeting specifications and authorize the purchase of one offset printing press for the total price of \$12,563.
(Memorandum with agenda. Resolution authorizing purchase of offset printing press from A. B. Dick needed. Funds are budgeted.)

ACTION: Res. 84-936 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider acceptance of Flintkote's contract for the asphaltic concrete overlays of various City streets, 1984-85. (Original contract: \$279,960) (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: \$296,339.70; funds are budgeted.)

ACTION: Res. 84-937 adopted accepting work as complete. (Clerk 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 approving agreement between the City of Modesto, Stanislaus County, and San Joaquin County and the firm of Hodges & Shutt to conduct the regional airport study.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$3,000; funds are budgeted.)

ACTION: Res. 84-938 adopted approving agreement. (Utility Services to handle)

CONSENT

16. Consider acceptance of state grants for play apparatus at Lakewood and Sipherd Parks.
(The State has approved the City's grant applications under the Roberti-Z'berg Urban Open Space Program. Memo with agenda. Two resolutions accepting grants needed. Estimated cost: \$10,082 per project; funds are budgeted.)

ACTION: Res. 84-939 adopted accepting grant for Lakewood Park.
Res. 84-940 adopted accepting grant for Sipherd Park. (P/R to handle)

CONSENT

17. Consider excusing Councilmembers Bright, Muratore, Patterson, Sutton, and Whiteside, and Mayor Mensinger for being absent from the November 27, 1984, City Council meeting due to their attending the National League of Cities conference.
(Motion excusing absence needed.)

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

CONSENT

18. Consider abandonment of the 10-foot public utility easement in Block 13530 of the City of Modesto, located in Parcel "A" of the map filed in Book 25 of Parcel Maps, Page 83. (Rumble property on Hahn Drive)
(Memo with agenda. Resolution vacating and abandoning the 10-foot public utility easement in Block 13530 needed.)

ACTION: Res. 84-941 adopted abandoning. (Eng to handle)

CONSENT

19. Consider setting hearing for proposed fee adjustments relating to land development, street encroachment permits, building inspection, sewer and water inspections, reimbursement agreements, and document reproduction.
(Resolution setting public hearing December 18, 1984, at 4:00 p.m. needed.)

ACTION: Res. 84-942 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider setting public hearing for City's application for Fiscal Year 1985 Rental Rehabilitation grant funds.
(The Housing and Urban Development Department requires that the public be given an opportunity to comment on the application and proposed reduction of the lower income benefit in Rental Rehabilitation projects.
Resolution setting public hearing December 11, 1984, at 7:30 p.m. needed.)

ACTION: Res. 84-943 adopted setting hearing. (Clerk to handle)

CONSENT

21. Presentation of the City of Modesto's audited Comprehensive Annual Financial Report for the year ended June 30, 1984.
(Copies of report and memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider resolution confirming canvass of votes on the Sewer Extension Advisory Measure on the November 6, 1984 ballot.
(Statement of vote with agenda. Resolution confirming canvass needed.)

ACTION: Res. 84-944 adopted confirming canvass of votes. (Clerk to handle)

CONSENT

23. Consider approving an increase in fees and charges at the Airport for offices, hangars, and tie-down fees and an increase in the fuel flowage fees.

(Memo with agenda. Resolution approving increase needed.)

ACTION: Res. 84-945 adopted approving increase. (Utility Services to handle)

CONSENT

24. Consider City-County Joint Transportation Committee recommendations on transit.

(Memo with agenda. Recommendations are as follows:

1. Possible expansion of Dial-A-Ride service area to include part of McDonald Avenue.
2. Possible expansion of Dial-A-Ride service area to include four newly added City areas.
3. Possible expansion of Dial-A-Ride service area to include a portion of Empire and an area southwest of Modesto.
4. Possible elimination of Dial-A-Ride service area south of the Tuolumne River.
5. Possible bus shelter ownership transfer from Stanislaus County to the City of Modesto.

(Four motions and one resolution are needed to implement the recommendations. Estimated cost: \$4,000; funds are budgeted.)

ACTION: By motion, expansion of Dial-A-Ride service area to include part of McDonald Avenue authorized.

By motion, expansion of Dial-A-Ride service area to include four newly added City areas authorized.

By motion, expansion of Dial-A-Ride service area to include a portion of Empire and an area southwest of Modesto authorized.

By motion, eliminated Dial-A-Ride service area south of the Tuolumne River.

Res. 84-946 adopted transferring bus shelter ownership from Stanislaus County to the City of Modesto.

(P/T to handle)

CONSENT

25. Application to Housing and Urban Development Office for recertification of Eligibility for Urban Development Action Grant - Pocket of Poverty. (Every two years we are required to recertify with HUD our eligibility to apply for UDAG grants. Resolution approving recertification request needed.)

ACTION: Res. 84-947 adopted approving recertification request. (Planning to handle)

CONSENT

26. Report pertaining to single family mortgage revenue bond (SFMRB) issue for 1985.

(New federal tax legislation requires publication of a report on low income housing policies and a public hearing on it prerequisite to issuing a single family mortgage revenue bond. Memo with agenda. No action required.)

No action taken

MISCELLANEOUS

27. Appointments

ACTION: Res. 84-948 adopted (Muratore/Whiteside, unan.) appointing Harlan Westenberg as the City's representative on the Stanislaus County Economic Development Corporation. (Clerk to handle)

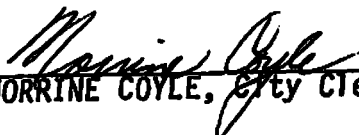
MATTERS TOO LATE FOR THE AGENDA

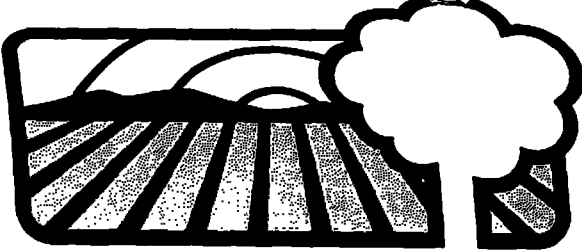
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:27 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 11, 1984, 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: Jack Hewitt, Modesto Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 12, 13, 14, 15, 16

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 December 4, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing regarding orders to construct curb and/or sidewalk at the following locations:
- a. Sidewalk along Paradise Road at 1027 Paradise Road and 1000 Beverly Drive, a portion of Block 4014. (Eugene R. Abel)
 - b. Curb at 1405 Melrose Avenue, a portion of Block 1190. (Masrop A. Akers)
 - c. Curb at 1233 Fiori Avenue, Lot 4 of Block 1125. (William D. Ford)
 - d. Curb at 1217 Fiori Avenue, Lot 8 of Block 1125. (Geoff O. Lish)
 - e. Curb along Fiori Avenue at 521 E. Roseburg Avenue, Lot 9 of Block 1125. (Nisonger and Peterson)
 - f. Curb along Dawn Drive at 1312 Melrose Avenue, a portion of Block 1138. (Renaldo S. Ratto)

ACTION: Res. 84-949 adopted (Muratore/Sutton, unan.) ordering to construct.
(Eng. to handle)

4. Hearing to consider appeal of Bright Development to Planning Commission decision denying an application for an amendment to P-D(163) and the tentative subdivision map of The Vineyard No. 4 subdivision, property located on the north side of Standiford Avenue, west of the railroad tracks.

ACTION: Res. 84-950 adopted (Lang/Sutton, majority, Patterson and Mayor Mensinger-no) denying application for amendment to P-D(163) and certifying review of Environmental Assessment.
Res. 84-951 adopted (same vote) denying application to amend tentative subdivision map of The Vineyard No. 4 Subdivision and certifying review of Environmental Assessment.
(Clerk to handle)

5. Hearing concerning City of Modesto's application for fiscal year 1985 Rental Rehabilitation Grant funds.

952

ACTION: Res. 84- adopted (Whiteside/Muratore, unan.) approving application.
(Planning to handle)

BIDS

CONSENT

6. Consider approving specifications and authorize call for bids to be opened January 8, 1985, at 3:10 p.m. for furnishing one optical character reader.

(Requested by the Word Processing Center, the optical character reader will take documents typed on a conventional typewriter and automatically place the information on Wang system disks. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 84-953 adopted calling for bids. (Finance to handle)

CONSENT

Consider rejecting all bids received for furnishing one service van with aerial lift, and authorize new call for bids to be opened January 2, 1985, at 3:00 p.m.

(Memorandum with agenda. Resolution rejecting all bids and authorizing new call for bids needed. Estimated cost: \$29,000; funds are budgeted.)

ACTION: Res. 84-954 adopted rejecting bids and authorizing new call for bids.
(Finance to handle)

8.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Bob Oliver spoke about the community center. Also speaking about the community center were Tom Byrne, Monroe Taylor, Bill Gardner, and Bill Vlach.

NEW BUSINESS

9. Transfer of City-owned former Lincoln School site and most of former Sears block in the Modesto Redevelopment Project Area to Redevelopment Agency.

(Memo with agenda. Resolution authorizing City Manager to sign grant deeds needed.)

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

ACTION: Res. 84-955 adopted (Muratore/Sutton, majority, Patterson-no, Whiteside and Mayor Mensinger absent) authorizing City Manager to sign grant deeds. (Mgr. to handle)

10. Loan of City's Community Center budget reserve of \$1,187,500 to the Redevelopment Agency.

(Memo with agenda. Resolution authorizing loan needed. Funds are budgeted.)

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

ACTION: Res. 84-956 adopted (Lang/Bright, majority, Patterson-no, Whiteside and Mayor Mensinger absent) authorizing loan. (Finance to handle)

11. Set date for public hearing on vacation and abandonment of 10th Street between K & L Streets.

(Memo with agenda. Resolution setting hearing January 8, 1985, at 7:30 p.m. needed.)

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

ACTION: Res. 84-957 adopted (Bright/Sutton, majority, Patterson-no, Whiteside and Mayor Mensinger absent) setting hearing. (Clerk to handle)

CONSENT

12. Consider withdrawing Houser Lane No. 2 Annexation from the Burbank-Paradise Fire Protection District.

(The effective date of this annexation to the City of Modesto is November 9, 1984. Resolution withdrawing from Fire Protection District needed. Filing fee: \$160; funds are budgeted.)

ACTION: Res. 84-958 adopted withdrawing from Fire Protection District. (Clerk to handle)

CONSENT

13. Consider setting public 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.

(The effective date of this annexation to the City of Modesto is November 9, 1984. Resolution setting public hearing January 22, 1985, at 7:30 p.m. needed. (Five affirmative votes needed.) Filing fee: \$160; funds are budgeted.)

ACTION: Res. 84-959 adopted setting hearing. (Clerk to handle)

CONSENT

- 14. Consider appropriation transfer of \$2,690 to allow City to subscribe to Product Information Network.
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 84-960 adopted approving appropriation transfer. (Finance to handle)

CONSENT

- 15. Consider authorizing City Manager to sign agreement with Valley Oak Associates for storm drain installation in Valley Oaks, located on the east side of Oakdale Road between Merle Avenue and Floyd Avenue.
(Improvement plans for Valley Oaks requires installation of a 36-inch storm drain trunk. 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, and resolution amending the 1984-85 budget needed. Estimated cost: \$\$98,560 (\$88,560 project; \$10,000 contingencies).

ACTION: Res. 84-961 adopted approving agreement.

Res. 84-962 adopted amending the 1984-85 budget. (Eng. to handle)

CONSENT

- 16. Consider approval of the final map of North Heights subdivision of the City of Modesto and accept the improvements as complete.
(All improvements have been completed to the satisfaction of the Engineering Services Department, and all subdivision and inspection fees have been paid. North Heights subdivision is located west of Gagos Drive, south of Pelandale Road and east of Sisk Road. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 84-9.63 adopted approving final map and accepting improvements as complete. (Clerk to handle)

MISCELLANEOUS

- 17. Appointments

None

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

None

ADJOURNMENT

This meeting adjourned at 9:20^{p.m.} to 8:00 a.m., December 13, 1984, at Velia's, 1022 11th Street, Modesto, for a meeting with Senator McCorquodale.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk


Adjourned Regular Meeting
Modesto City Council
December 13, 1984

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m. at Velia's, 1022 11th Street, Modesto, for a meeting with Senator McCorquodale.

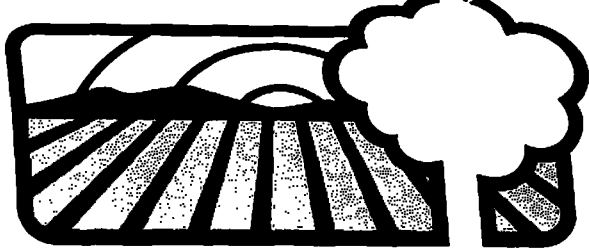
Present: Councilmembers Bright, Whiteside, and Mayor Mensinger

Absent: Councilmembers Lang, Muratore, Patterson, and Sutton

Since there was not a quorum present, the meeting adjourned at 8:05 a.m. Those present discussed various items of legislation with Senator McCorquodale.

ATTEST: 
NORRINE COYLE, City Clerk

12/13/84



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 18, 1984, 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 United Presbyterian Church

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

ACTION: (Muratore/Patterson, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the December 11, 1984, regular City Council meeting.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

HEARINGS

3. Hearing to consider amendment to Sec. 7-4-9 of the Zoning Map to rezone from R-1 to R-2 property located at the southwest corner of Hatch Road and Ustick Road. (Pan Capital)

ACTION: By motion (Lang/Bright, unan.) Ord. No. 2303-C.S. introduced.
Res. 84-964 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

4. Hearing to consider amendment to Sec. 24-3-9 of the Zoning Map to repeal P-D(226) which allowed a combination neighborhood shopping center and professional office complex, property located on the west side of Claus Road north of Scenic Drive. (Crocker Bank)

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2304-C.S. introduced to rezone to R-1. (Clerk to handle)

5. Hearing to consider amendment to Sec. 19-3-10 of the Zoning Map to rezone from R-1 to P-D(364) to allow a neighborhood shopping center property located on the southeast corner of Claus Road and Parker Road. (Jim Lamatis)

ACTION: By motion (Whiteside/Muratore, unan.) Ord. No. 2305-C.S. introduced.
Res. 84-965 adopted (same vote) approving plan.
Res. 84-966 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

6. Hearing concerning adjustment of fees related to land development, street encroachment permits, building inspection, sewer and water inspection, reimbursement agreements and document reproduction.

ACTION: Res. 84-967 adopted (Sutton/Bright, unan.) adopting sign permit fees.
Res. 84-968 adopted (same vote) approving investigation and permit fees in relation to moving buildings.
Res. 84-969 adopted (same vote) establishing filing fees for subdivision and parcel maps.
Res. 84-970 adopted (same vote) approving encroachment permit and inspection fees.
Res. 84-971 adopted (same vote) approving sewer bond redemption charge inspection fee.
Res. 84-972 adopted (same vote) approving water service charges.

Res. 84-973 adopted (same vote) approving charges for copies of maps and prints.

Res. 84-974 adopted (same vote) approving fee for preparation of sewer line reimbursement agreements.

Res. 84-975 adopted (same vote) approving a certificate of compliance fee.

Res. 84-976 adopted (same vote) approving a building compliance inspection fee. (Clerk to handle).

7. Hearing concerning 1984 Housing, Development, Low-Income Housing Income Report.

ACTION: By motion (Whiteside/Sutton, unan.) this item withdrawn and staff directed to prepare a report based on the new guidelines and to communicate with congressional representatives our displeasure with the manner in which this matter was handled. (Planning to handle)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened January 15, 1985, at 3:10 p.m. for furnishing one heavy equipment trailer.
(Requested by the Service Division, the trailer will be used to transport a backhoe used by City maintenance crews. The trailer will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$9,750; funds are budgeted.)

ACTION: Res. 84-977 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened January 15, 1985, at 3:20 p.m. for furnishing one refuse bin truck.
(Requested by the Service Division, the truck will be used to transport garden refuse bins to the dump. The bins will contain refuse gathered by the City's street sweepers. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$77,000; funds are budgeted.)

ACTION: Res. 84-978 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approval of specifications and authorize call for bids to be opened January 8, 1985, at 3:15 p.m. for furnishing annual tire recapping requirements.
(An annual requirement, tires will be recapped intermittently throughout the 1985 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 for 1985 calendar year: \$20,000; funds are budgeted.)

ACTION: Res. 84-979 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened January 15, 1985, at 3:00 p.m. for furnishing turf equipment.
(Requested by the Utility Services Service Division, the turf equipment will be primarily dispatched to the Parks and Recreation Department for use on the golf courses and various park sites. All equipment with the exception of the flail mower and turf sweeper will replace units presently in service. The mower will be additional equipment to be used at the Tuolumne River Regional Park and the turf sweeper is needed by Parks to sweep the grassed areas of their additional new parks. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$114,297; funds are budgeted.)

ACTION: Res. 84-980 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider awarding contract to install flashing beacons on Paradise Road at Burbank School.
(Memo with agenda. Collins Electrical Co., Inc. was the lowest of five bidders at \$10,500, 12-1/2% below our \$12,000 estimate. Resolution awarding contract to Collins Electrical Co. needed. Funds are budgeted.)

ACTION: Res. 84-981 adopted awarding contract. (P.T. to handle)

CONSENT

13. Consider rejection of bids for the reroofing of the Fire Prevention Bureau.
(Bids were opened on November 20, 1984. Com Tech Roofing submitted the only bid and was 28% above the engineer's estimate. Staff feels that rejecting the bid and rebidding the project in the spring when roofing contractors have a lull in their workload, which is not the case during the rainy season, would allow us to receive more competitive bids. Resolution rejecting bids needed.)

ACTION: Res. 84-982 adopted rejecting bids. (Eng to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of one Code-3 vehicle from the State of California Department of General Services for the total price of \$10,841.
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase of Code-3 vehicle needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-983 adopted waiving formal bid procedures. (Finance to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

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

Carmen Sabatino and Bill Vlach talked about concerns about the community center and hotel.

Margaret Rush spoke about the petitions presented by Modestans for an Affordable Community Center.

NEW BUSINESS

16. 1984 Urban Growth Policy Review recommendations from the Public Projects Committee.

(The Committee recommends that based on the favorable November 6, 1984, advisory vote on the Yosemite I sewer trunk extension, the City Council amend the General Plan to add the Yosemite Neighborhood to the urban area and extend the sewer trunk. Motion adopting recommendations of the Public Projects Committee needed.)

ACTION: By motion (Bright/Patterson, unan.) the Public Projects Committee's recommendations approved. (Planning to handle)

CONSENT

17. Consider setting hearing to consider approval of the conflict of interest code of the Office of Economic Development and amending the conflict of interest code for the Engineering Services Department to add the Engineering Systems Manager classification. Resolution setting hearing January 15, 1985, at 4:00 p.m. needed.)

ACTION: Res. 84-984 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approving a feeder bus ticket-selling agreement with AMTRAK and a corollary agreement amendment with Storer Transit Systems. Memo with agenda. The agreement with AMTRAK provides ticket selling and related informational services through AMTRAK agents for the Modesto to Riverbank AMTRAK feeder bus. The agreement amendment with Storer satisfies requirement in AMTRAK agreement. Resolution approving agreement with AMTRAK needed, and resolution approving amendment to agreement with Storer Transit Systems needed.)

ACTION: Res. 84-985 adopted approving agreement with AMTRAK.
Res. 84-986 adopted approving amendment to agreement with Storer Transit Systems. (P/T to handle)

CONSENT

19. Consider approving agreement with the Public Employees Retirement System for an actuarial valuation of employees retiring before January 1, 1981. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$308; funds are budgeted.)

ACTION: Res. 84-987 adopted approving agreement. (Mgmt Services to handle)

CONSENT

20. Consider acceptance of improvements in the Vineyard No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Bright Development (The Vineyard No. 3 subdivision is located west of the Tidewater Southern Railway right of way and north of Standiford. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 84-988 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Adoption through incorporation by reference of California Environmental Quality Act (CEQA) State Administrative Guidelines, contained in Title 14 of the State Administrative Code, for use by the City in doing environmental assessments of projects covered by CEQA. (Memorandum with agenda. Resolution adopting Guidelines needed.)

ACTION: Res. 84-989 adopted adopting Guidelines. (Atty to handle)

CONSENT

22. Presentation of monthly financial statement and monthly Treasurer's Report for November, 1984. (Copies of reports will be presented at the meeting. Motion acknowledging receipt of the reports needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

23. Appointments

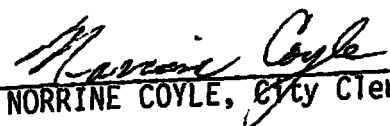
None

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

ACTION: Res. 84-990 adopted (Whiteside/Lang, unan.) authorizing the transfer of the City of Modesto's unused Industrial Development bond allocation to the State. (Finance to handle)

ADJOURNMENT

This meeting adjourned at 5:27 p.m. to 8:00 a.m., December 21, 1984, at the Sun Room at the Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with Assemblyman Condit.

ATTEST: 
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
December 21, 1984

The Council of the City of Modesto met pursuant to adjournment at 8:00 p.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

Present: Councilmembers Lang, Muratore, Sutton, Mayor Mensinger

Absent: Councilmembers Bright, Patterson, Whiteside

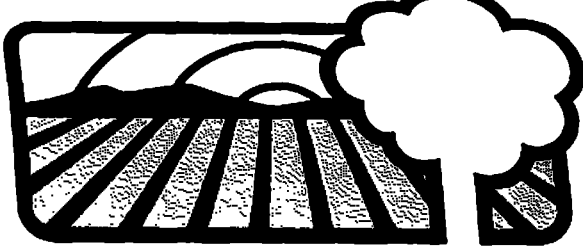
The Councilmembers met with Assemblyman Condit to discuss various State legislative matters of interest to the City of Modesto.

The meeting adjourned at 9:25 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

315-73

12/21/84



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, DECEMBER 26, 1984, AT 7:30 P.M.

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

Absent: *[Handwritten signature]*

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9, 10,
Removed from consent: 12A, 14 11, 12, 15, 16, 17, 18

[Handwritten signature]

(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 13, and the regular meeting of December 18, 1984.

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

7. Consider authorizing the City Manager to sign an order agreement with the Xerox Corporation to purchase a high-volume copier.
(Memo with agenda. Resolution approving order agreement needed.
Estimated cost: \$7,147 for balance of 1984-85, \$38,531 for balance of 53 months. Funds are budgeted.)

ACTION: Res. 84-995 adopted approving agreement. (Finance to handle)

CONSENT

8. Consider waiving formal bid procedures and authorize the installment purchase of a used aerial truck from the City of Pacifica for the total price of \$74,000.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing the installment purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 84-996 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for Orchard Neighborhood Park irrigation line replacement.
(Suggested bid opening: January 15, 1984, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$73,810 (Contract: \$67,100; Engineering: \$6,710). Funds are partially budgeted. After bid opening, a transfer will be requested if needed.)

ACTION: Res. 84-997 adopted calling for bids. (Engineering to handle)

CONSENT

10. Consider award of contract for the replacement of sectional steel doors at the corporation yard.
(Bids were opened on December 18, 1984. The low bid of \$16,964, submitted by Barton Overhead Door, Inc., is less than 1% below the engineer's estimate. It is recommended that the contract be awarded to Barton Overhead Door, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 84-998 adopted awarding contract. (Finance to handle)

CONSENT

11. Consider acceptance of Teichert Construction Co.'s contract for the construction of Oakdale Road from 292.5 feet north of Briggsmore to Floyd Avenue. (Original contract: \$484,092.70)
(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: \$472,377.61. Funds are budgeted.)

ACTION: Res. 84-999 adopted accepting contract as complete. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Consider final adoption of the following:

- a. Ord. No. 2303-C.S. amending Section Map 7-4-9 of the Zoning Map of the City of Modesto rezoning from R-1 to R-2 property located at the southwest corner of Hatch Road and Ustick Road. (Pan Capital)
- b. Ord. No. 2304-C.S. amending Section 24-3-9 of the Zoning Map of the City of Modesto repealing P-D(226) and rezoning to R-1 property located at the northwest corner of Scenic and Claus. (Crocker Bank)
- c. Ord. No. 2305-C.S. amending Section Map 19-3-10 of the Zoning Map of the City of Modesto rezoning from R-1 to P-D(364) property located on the southeast corner of Claus Road and Parker Road. (Jim Lamatis)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

BIDS

CONSENT

4. Consider approving specifications and authorize call for bids to be opened January 22, 1985, 3:00 p.m. for furnishing one high dump street sweeper.
(Requested by the Utility Services Service Division, the sweeper will replace a bottom dump unit currently assigned to the Garden Refuse Division. Resolution approving specifications and authorizing call for bids needed. Funds are budgeted.)

ACTION: Res. 84-991 adopted calling for bids.

(Finance to handle)

CONSENT

5. Consider declaring Sweeley's Mobile World low bidder and authorize the purchase of one portable classroom for the total price of \$35,874.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 84-992 adopted authorizing purchase.

(Finance to handle)

CONSENT

6. Consider authorizing the City Manager to sign landscape maintenance agreements with Valley Landscape & Maintenance for pump stations, and with Bibens Nursery for lift stations and orchard area drainage basin. (Landscape maintenance services for traffic islands, police grounds and city hall grounds will be performed by City forces. Memo with agenda. Two resolutions approving landscape maintenance agreements and motion authorizing City forces to perform services. Estimated cost for 1985: \$25,488. Funds are budgeted.)

ACTION: Res. 84-993 adopted approving agreement with Valley Landscape and Maintenance.

Res. 84-994 adopted approving agreement with Bibens Nursery.

By motion, City forces authorized to perform services.

(Parks & Recreation to handle)

12-26-84

WRITTEN COMMUNICATIONS

CONSENT

12. Application on behalf of Ronald Zirkle for permission to file a late claim against the City of Modesto.
(Resolution denying request needed.)

ACTION: Res. 84-1000 adopted denying claim. (Clerk to handle)

- 12A. Letter from Cheri Cope, Chairman of the Modesto Youth Commission, requesting a resolution of support for a non-alcoholic New Year's Eve party for teenagers.
(Memo with agenda. Resolution of support needed.)

ACTION: Res. 84-1001 adopted (Lang/Whiteside, unan.) supporting the Alcoholism Council of Stanislaus' Non-Alcoholic New Year's Eve Party. (Parks & Recreation 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 agreement extending feeder bus service between Modesto and the Riverbank AMTRAK station.
(Memo with agenda. The service originally estimated to cost \$10,000 is now estimated to cost \$20,000. The service will still operate from October 1, 1984, to March 30, 1985. Caltrans is willing to increase their funding from \$5,000 to \$10,000 to still pay one half the cost. The City and County would share the remaining cost in shares of about 80% (\$8,000) and 20% (\$2,000), respectively. Resolution approving the agreement amendment needed. Funds are budgeted.)

ACTION: By motion (Lang/Sutton, unan.) the question of whether to amend the agreement was referred to the Transportation Committee.
(Parking & Traffic to handle)

CONSENT

15. Consider updating radar speed limits.
(Memo with agenda. Fourteen radar-enforceable speed limits are proposed. Introduction of an ordinance amending Municipal Code Section 3-2.1401.1. Estimated cost: \$160. Funds are budgeted.)

ACTION: By motion, Ordinance No. 2306-C.S. introduced, updating radar speed limits. (Clerk to handle)

CONSENT

16. Consider approval of application for funds under the California Parks and Recreational Facilities Act of 1984, Historical Preservation Grant Program.

(Competitive grants are available under the program. As the McHenry Mansion meets the requirements, staff recommends application for \$200,000. This grant would provide funds for the elevator, restroom and lower level multipurpose area construction. Resolution authorizing filing of an application needed.)

ACTION: Res. 84-1002 adopted approving application.

(Parks & Recreation to handle)

CONSENT

17. Report of Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the following locations:

- a. Curb and sidewalk along California Avenue at 717 Spencer Avenue, a portion of Block 4104 (Carolyn F. Johnson Gamble - \$2,572.00)
- b. Curb and sidewalk at 713 California Avenue, a portion of Block 4104 (Christine D. Harmon - \$1,212.00)
- c. Curb and sidewalk at 200 E. Granger Avenue, a portion of Block 1235 (Max Kleinknecht - \$1,919.00)
- d. Sidewalk at 1125 Amherst Avenue, a portion of Block 842 (Ronald W. Posey - \$420.00)
- e. Curb and sidewalk at 725 California Avenue, a portion of Block 4104 (Bill Weinmaster - \$1,416.00)
- f. Curb and sidewalk at 821 California Avenue, a portion of Block 4104. (Westside Neighborhood Church - \$4,284.00)

(Work has been completed. Costs have been calculated and a tabulation of properties, the owners, and the respective costs are shown above. Resolution setting 7:30 p.m., January 22, 1985, for hearing needed.)

ACTION: Res. 84-1003 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider a Retention Escrow Agreement with Dyn Construction Corporation and the Bank of America on the Unit 1 Wastewater Treatment Plant Expansion Project.

(The contract specifications allow a substitution of Securities in Lieu of Cash Retentions on the project. Dyn 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. 84-1004 adopted approving agreement. (Utility Services to handle)

MISCELLANEOUS

19. Appointments

ACTION: Res. 84-1005 adopted (Sutton/Whiteside, unan.) reappointing Richard Shaffer and Gilbert Sturgis to the Planning Commission for four year terms.
Res. 84-1006 adopted (Sutton/Whiteside, unan.) reappointing Leslie May to the Board of Personnel Appeals for a four year term.
Res. 84-1007 adopted (Sutton/Whiteside, unan.) reappointing Hector Lozano to the Culture Commission for a four year term.
Res. 84-1008 adopted (Sutton/Whiteside, unan.) reappointing Jack Schmid to the Human Relations Commission for a four year term.
Res. 84-1009 adopted (Sutton/Whiteside, unan.) reappointing Dennis Wilson to the Downtown Improvement District Advisory Board for a four year term.
Res. 84-1010 adopted (Sutton/Whiteside, unan.) reappointing James Sorensen to the Airport Advisory Committee for a four year term and appointing David Messenheimer for a one year term. (Clerk to handle)

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

None.

ADJOURNMENT

Meeting adjourned at 7:42 p.m.


Norrine Coyle
City Clerk & Auditor